UNIVERSITAS CATHOLICA AMERICAE WASHINGTONII, D. C.
S. FACULTAS THEOLOGICA, NO. 55

FREDERICK BARBAROSSA'S CONFLICT WITH THE PAPACY

A Problem of Church and State

A DISSERTATION

SUBMITTED TO THE FACULTY OF SACRED SCIENCES OF THE CATHOLIC UNIVERSITY OF AMERICA IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF SACRED THEOLOGY

BY

PAUL J. KNAPKE, C.PP.S., S.T.L.

THE CATHOLIC UNIVERSITY OF AMERICA
WASHINGTON, D. C.
1939

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TO

MY FATHER AND MOTHER

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PREFACE

The present study was written at the suggestion and under the supervision of the late Right Reverend Patrick J. Healy, S.T.D. To him is due an immense debt of gratitude for his valuable advice and very personal interest. Under his direction all the standard sources were made available to the writer. Acknowledgment also must be made of the splendid cooperation given by the Reverend Raphael Huber, O.M.C., S.T.D., who very cheerfully offered his assistance after he had replaced Monsignor Healy in the department of Church History. Likewise, sincere appreciation and thanks are extended to the Very Reverend Edward G. Fitzgerald, O.P., S.T.M., the late Reverend Joseph T. Barron, S.T.D., and Reverend James O'Brien, S.T.D. Finally, a tribute of respect and gratitude must be given to the Society of the Precious Blood and its Superiors for the opportunity of pursuing higher studies at the Catholic University.

Feast of the Assumption
1939

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INTRODUCTION

The conflict of Church and State has been a continuous one throughout history. Displaying a striking adaptability to the different modes of government,[1] the Popes with varying success have consistently pursued a policy of severance and freedom from civil domination. From the beginning, civil rulers have been only too eager to gain control in ecclesiastical affairs with the result that, if the Church was to maintain her inalienable rights and prerogatives, conflict was inevitable. Charged with the duty of upholding Christian faith and practice, of maintaining the proper evaluation of human right and individual liberty, and of curbing the ambition of absolutisically minded rulers, the Church necessarily came to blows with the State. Nor was the Church seeking universal domination, as many critics charge. All these conflicts were rooted in the same cause, the opposition between civil absolutism and the rights of the Church and conscience.

Although fundamentally the problem of Church and State remains the same, each age has added its own peculiar coloring, its own lights and shadows. So it was with the Middle Ages. With a highly involved feudalistic system in operation, the conflict became the bitter and protracted struggle of the Church against lay-investiture. After this struggle terminated in the mutual agreement of the Concordat of Worms, the conflict of Church and State continued, assuming different shape and aspect. Nor was it entirely futile. Lord Acton states that "the history of the Middle Ages is the history of the gradual emancipation of man from every species of servitude, in proportion as the influence of religion became more penetrating and more universal. The Church could never abandon that principle of liberty by which she conquered pagan Rome."[2]

In the very notion of the State, considered as an association of

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1. "But the deep foundation of them all (ecclesiastical rights) lay ever in the religious character of the Primacy, which had the power of adapting itself to every new situation, and by its very nature was bound so to adapt itself." J. Hergenroether, *Catholic Church and Christian State,* pt. iv, p. 274.
2. Lord J. E. Acton, *The History of Freedom and Other Essays,* p. 203.

reasonable moral beings, is contained a moral limitation of power.[3] Where it is wanting, power becomes arbitrary and self-interested; and government, not in monarchies only, but also in republics, becomes despotism. The Church has always served as a check or safety valve upon State power, particularly in the Middle Ages. At a period when warlike gains alone were prized, Europe would have sunk into endless wars had not the Popes striven unceasingly for the maintenance of peace. They rebuked the passions of princes and checked their unreasonable pretensions.[4] Their wholesome influence is acknowledged even by historians hostile to the Church. Lecky writes: "The balance of power produced by the numerous corporations which she (the Church) created or sanctioned, the reverence for tradition resulting from her teaching which created a network of unwritten customs with the force of public laws, the dependence of the civil upon the ecclesiastical power and the rights of excommunication and deposition, all combined to lighten the pressure of despotism."[5] Although in merely temporal matters the Popes pursued a policy as fluctuating as is human nature itself, yet they were the unwavering protagonists of freedom and religion — two ideas foremost in the mediaeval mind.[6] Nations lived in the consciousness that above the mighty of this world, a power existed which had set a limit to the despotism and absolutism in which sovereigns indulge only when they know there is no longer an authority above them.

The Middle Ages were essentially an age of religion. "In the mediaeval States, as in those of antiquity, religion was the foundation and mainstay of society, and the first and most important duty of princes was its care and defense. A ruler was to be, above

3. F. Walter, *Naturrecht und Politik,* p. 234.
4. H. Lingard, *History of England,* Vol. IV, p. 72.
5. W. Lecky, *Rationalism in Europe,* Vol. II, pp. 216, 217; A. L. Smith, *Church and State in the Middle Ages,* p. 6. "The Papacy, taking it all in all, was the greatest potentiality for good that existed at the time, or perhaps that has ever existed."
6. John of Salisbury, *Epistola ad Episcopum Exonensem,* n. 193, ap. Migne, *P. L.,* Vol. 199, p. 207: "Duae causae sunt, quas homines affectuosissime tuentur et quas praeponunt animabus suis: altera libertatis, altera fidei et religionis." Petrus Blesensis, *De Institutione Episcopi*: "Duo sunt, justitia et libertas, pro quibus quisque fidelis usque ad sanguinem stare debet." Ap. Migne, *P. L.,* Vol. 207, p. 1111

all, the servant of God, the defender of the Church, of the weak and of the needy."[7] The all-pervading influence of faith in the Middle Ages no doubt had much in common with the great oriental religions, but it differed essentially in that it did not lead to quietism or fatalism in regard to the external world, but rather to an intensification of social activity. "With the rediscovery of the Middle Ages in the nineteenth century, with the realization that, after all, what the rationalism of the eighteenth century had been inclined to regard as a period of static misery was in fact a time of steady and fruitful growth."[8] Through the activity inspired by faith the foundations of Europe were laid. This was the age of the crusades, guilds, cathedrals, monasteries and universities, and the faith which motivated this activity bred an atmosphere of optimism despite the many wranglings, petty wars, plagues, poverty and strife. Consequently, the Middle Ages must present a baffling problem to the non-religious historian for it must be remembered that it is impossible to understand the past unless we understand the things for which the men of the past cared most.[9]

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7. J. Hergenroether, *op. cit.*, pt. iv., p. 258.
8. E. J. Passant in the *Cambridge Medieval History,* Vol. V, p. 320; R. W. and A. J. Carlyle, *A History of the Mediaeval Political Theory in the West,* Vol. III, p. 14, writes: "The greatest difficulty indeed with which the historian has to contend, in trying to interpret the Middle Ages to the modern world, is the impression that the civilization of those times was stationary and rigid, that the mediaeval world was unlike the modern, specially in this, that it was unchanging, while we perpetually change. This tradition is primarily derived from the ignorance and prejudice of the men of the new learning and the Renaissance, and lingers on, not in serious history, but in the literary tradition, and in the prejudices which arose naturally enough out of the great struggles of the Reformation and the Revolution. If we are to study the Middle Ages intelligently, if we are to appreciate their real relation to the modern world, we must dismiss from our minds these notions of a fixed and stereotyped society, we must rather recognize that there have been few periods in the history of the world when the movement of thought and of life was more rapid than in the twelfth and thirteenth centuries."
9. C. Dawson, *The Making of Europe,* p. xx; H. O. Taylor, *The Medieval Mind,* Vol. I, p. ix. "Whatever may be one's beliefs, a reali-

Since these were the ages of faith, with religion dominant in every affair, it was quite natural that the spiritual power, in itself purer since exercised over the soul and directed to the highest of all ends, eternal felicity, was entitled to the obedience of all, laymen as well as clergy. So too the spiritual person in whom was vested this spiritual power, namely the Pontiff, could not be subject to the lay magistrate, be installed by him in office, be judged in his court, nor render to him any compulsory service. Yet it was likewise true that the civil government was indispensable to the peace and advancement of society; it too sought to be free in the exercise of its jurisdiction. Precisely in the attempt to adjust these two independent spheres of authority, existing side by side and closely intertwined in every activity of an involved feudal system, lay the origin of the mighty conflict of Church and State in the Middle Ages.[10] Furthermore, the twelfth century, following, as it did, so closely upon the Hildebrandine reforms, was so thoroughly imbued with the superiority of the spiritual authority that it was almost inevitable that the spiritual should emerge victorious from its conflict with the temporal.

In many respects Frederick Barbarossa was a child of his age. He shared in its grand optimism, which unfortunately begot in him impossible ideals responsible for his ultimate downfall. He thought, as men had thought in the centuries before the Carolingians, that the great Roman Empire of old was suspended, not extinct. The vast power exercised by Charlemagne and the Ottos revived this dream in the mediaeval mind and the hope of a possible restoration seemed to haunt the people. The belief prevailed that the world could never be right without it. Because in the spiritual world men beheld a universal religion in Christianity,

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zation of the power and import of the Christian Faith is needed for an understanding of the thoughts and feelings moving the men and women of the Middle Ages and for a just appreciation of their aspirations and ideals."

10. "The attempt to reconcile this duality with the essential unity of Christendom under God, which all men believed to be the foundation of politics, forms the theoretical background to the long quarrel of Papacy and Empire." E. Eyre, *European Civilization, Its Origin and Development,* Vol. III, p. 163; J. Bryce, *The Holy Roman Empire,* p. 163.

so too they believed that it should have a counterpart in a world-embracing temporal rule.[11] And now, once again, the memories of Roman majesty and order sought realization in the Hohenstaufen, Frederick Barbarossa. He, in the mind of the people and especially in his own, became identified with the golden age of the first Frankish Emperor and the great Teutonic ruler, Otto I. His was to be the single firm and just hand to guide the State, reform the Church, repress the excesses of local power, and advance Christianity against heathendom, fearing neither Hun nor Saracen.

Yet coincident with this dream of a great universal Empire there were forces at work diametrically opposed to any possible realization of it. National consciousness was gripping men and the rise of municipal centers, each having its own local government and accustomed to independent rule, militated against any strongly centralized power. The Papacy, it appears, rather favored universal rule, yet jealously guarded itself against any encroachment upon papal prerogatives which under the monistic regimes of Charlemagne and the Ottos had been passed over without complaint. Together with this, the very set-up of the Holy Roman Empire bristled with difficulties.[12] Small quasi-independent rules within one grand universal rule, with no definite lines of demarcation for the various authorities concerned — local, national, imperial and spiritual — created an almost impossible situation. In addition, all these were enmeshed in an intricate feudal system. Nevertheless, Frederick remained undaunted, captivated as he was by the vision of an even wider sway and a loftier world-embracing dignity than that of Charlemagne or the Ottos.

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11. Largely responsible for this view was the *De Civitate Dei* of St. Augustine which exercised an immense influence over the mediaeval mind. E. K. Rand, *Founders of the Middle Ages,* p. 251. "...none of the Fathers of the Western Church occupied a higher pinnacle of fame."

12. The Holy Roman Empire of the German nation possessed actual sovereignty over Germany, Italy, the Low Countries, and two Burgundies; suzerainty over Bohemia, Poland, and Hungary; and a recognized theoretical lordship over France, England, Spain, Denmark, and Scandinavia. Cf. O. F. Gierke, *Political Theories of the Middle Ages.*

The political theory of the Middle Ages was also profoundly affected, or rather controlled, by certain conceptions which were distinctly Christian in their form.[13] Principal among these was the autonomy of the spiritual authority and the autonomy of the temporal. It finds characteristic and permanent expression in the writings of Pope Gelasius I.[14] Theoretically the Gelasian principle was never denied, but in practice, especially in the times of Charlemagne and the Ottos, it was completely without influence. Quite naturally Frederick Barbarossa accepted the Gelasian principle, nevertheless, he sincerely believed that the Church had overstepped its bounds of jurisdiction. The Papacy had made undue encroachments upon imperial prerogatives and Frederick seems to have made it the one aim of his life to retrieve this lost prestige. Being an ardent student of history, he had become acquainted with the almost complete control exercised by his predecessors, and with envious eye he began to look upon the supreme and autocratic positions of Charlemagne and the Ottos. Yet, he failed to realize that their domination was an invasion of the rights of the Church, justified perhaps only by the fact that the whole system of the Church was disorganized and degraded. He failed to realize that the Carolingian Empire had long since crumbled and that the foundations of the Othonian system had been undermined. Thanks to Gregory VII, ecclesiastics now appreciated the necessity of Church independence. And so, in his effort to realize his dreams and ambitions, it was inevitable that Barbarossa would come into conflict with the Papacy, for, at the basis of the conflict lay a clash of fundamental principles and policies.

The problems arising from Barbarossa's conflict with the Papacy were not new, although the circumstances which surrounded them were different. Lay-investiture still created difficulties even though a compromise had been reached in the Concordat of Worms. Ecclesiastical authority over marriage, the papal election of 1159, papal territory and political moves — all raised acute problems. But basic to all these problems and underlying them all was Frederick's ambition to gain complete control in both spiritual and temporal realms; to make both spheres of authority subservient

13. R. W. and A. J. Carlyle, *op. cit.*, Vol. III, p. 6.
14. See page 2 of chapter I.

and docile tools in his hands.[15] This study does not attempt to justify every maneuver of the occupants of the papal throne. It will, however, attempt to show that opposition to Frederick was justified, for in his conflict with the Papacy the fundamental rights and prerogatives of the Church were at stake; it will attempt to show that Frederick, despite his strenuous and untiring efforts, gained nothing in his attempt to derogate from the liberty the Church had acquired through the preceding century. Barbarossa was a man of great gifts and endowments. But in the persons of Adrian IV and Alexander III Frederick met with men of his own steel. The struggle promised and proved to be an exciting chapter in the epic conflict of Church and State.[16]

15. U. Peters, *Charakteristik der inneren Kirchenpolitik Friedrich Barbarossas,* p. 24. "Sein Ziel ist hier (in der inneren Kirchenpolitik) die Herrschaft ueber die deutsche Kirche, eine Zusammenfassung der ihr ruhenden Mittel und Kraefte in des Koenigs Hand, dass sie sich verwerten lassen *ad nutum imperatoris.*" Cf. A. Hauck, *Kirchengeschichte Deutschlands,* Vol. IV, p. 185.

16. I have purposely avoided cluttering together endless references, presenting only the principal sources and those which I personally have been able to contact and investigate.

CHAPTER I

RELATIONS OF CHURCH AND STATE PRIOR TO BARBAROSSA

To view with unbiased and comprehensive grasp the situation confronting Barbarossa is by no means an easy task. It will of necessity entail a brief retrospect. Without an analysis of the events leading up to Barbarossa's time one will lack the requisite groundwork upon which the political edifice of Frederick and the Papacy of his time stands. — Ever since the birth of Christianity when paganism suddenly awoke to the realization that it was face to face with a philosophy incompatible with its own,[1] the conflict between Church and State has never ceased to exist. Previous to Christianity religion and politics, patriotism and worship, were identical.[2] Citizenship implied the worship of national deities.[3] For three centuries the struggle raged in bitter and relentless fashion. Then the Edict of Milan, 313, — the first of a long series of solutions to the ever-thorny problem of Church and State — granted full and free toleration of all religion.[4] The decree of Constantine was a victory for the liberty and universality of Christianity against the absolutism and particularism of the pagan state. Yet, while the Edict of Toleration was a complete renunciation of the principle that Church and State are one, nevertheless, the dualism in authority to which it gave way carried with it further problems. The problem of Church and State now took on a new aspect. Where was the line of demarcation to be drawn between ecclesiastical and civil authority? Quite naturally it was difficult for Con-

1. At first persecution was directed against the Christians as individuals, but the Emperor Decius, it seems, was the first who sought, not the death of Christians, but the extermination of Christianity. P. Allard, *Ten Lectures on the Martyrs,* p. 95.
2. Cicero, *De Legibus,* II, 8.
3. Fustel de Coulanges, *The Ancient City,* p. 265. (ed. 1901).
4. Eusebius, *H. E.,* Bk. X, c. 5. "... to each one freedom is to be given to devote his mind to that religion which he may think adapted to himself."

stantine and his immediate successors to rid themselves of the idea that the office of ruler carried with it the right to dictate in matters ecclesiastical. And although these rulers were Christian in name and in sentiment,[5] their ideas of state-sovereignty were incompatible with the Christian conception of liberty. The pagan theocratic ideal emerged into Caesaro-Papism and Byzantinism.

But the Church continued to defend its dualistic conception of society against the monism of State autocracy. The position of the Church and State was admirably crystallized in the letter of Pope Gelasius to the Emperor Anastasius. It was a decided advance in the clarification of the problem and his exposition of the theory of the relations of Church and State lay at the basis of all mediaeval political thought.[6] In theory, at least, it was never questioned by Pontiff or ruler. Substantially, the Gelasian principle taught that each authority is independent of the other in its own sphere and subject to the other in the sphere of the other.[7] Their working well together had been looked upon in Christendom from the earliest times as a pledge of happiness and prosperity; their separation as the foundation of untold evils.[8] In actuality the formulation of the Gelasian principle was epoch-making in the western world and its importance requires no explanation. It marked a definite turn in the development of the significance of individual personality and created a new conception of personal liberty.[9]

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5. N. Baynes in his scholarly brochure, *Constantine and the Christian Church,* proves satisfactorily that Constantine was sincere in his acceptance of Christianity.
6. Only a scant perusal of R. W. and A. J. Carlyle's *A History of Mediaeval Political Theory in the West* shows how deeply the Gelasian theory had permeated the mediaeval mind. "This principle is clearly and emphatically restated in the ninth century, and was always present to the minds of men in the eleventh and twelfth." Vol. IV, p. 385.
7. Gelasius I, *Tractatus,* IV, 11; XII, 2, ap. Thiel, *Epistolae Romanorum Pontificum,* pp. 568 ff., 349 ff. Cf. *Acta Concilii Troslejani,* A.D. 909, ap. Mansi, *Sacrorum Conciliorum Nova et Amplissima Collectio,* Vol. XVIIIa, p. 267. It quotes the sayings of Pope Gelasius on the nature of the two powers.
8. Ivo of Chartres, Ep. 238, ap. Migne, *P. L.,* Vol. 162, p. 246. "...cum regnum et sacerdotium inter se conveniunt, bene regitur mundus."
9. R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, p. 385.

Mediaeval life brought with it its own difficulties and complications of the problem of Church and State. The universally accepted dualism of political life in the Middle Ages — its dependence on the two principles of "secularism and ecclesiasticism, the *imperium* and the *sacerdotium*" — inaugurated many difficulties.[10] In practice, as the balance of power shifted from one side to another men found it difficult to determine just what the respective rights of each sphere were. With the rise of feudalism the practical difficulties increased. Emperors appointed bishops, and bishops ruled vast stretches of imperial territory. "When we begin to examine dispassionately the history of this period we are impressed before all with the fact that, while there is no reason to think that anyone doubted that the spiritual and temporal authorities were distinct and had each their own proper sphere, in actual fact the temporal ruler and the laity in general did constantly take part in administering ecclesiastical affairs, while the Pope and bishops exercised a large amount of authority in political matters."[11] The acquisition of temporal power on the part of the Church was a gradual process. After the Lombard invasion and the age of St. Gregory the Great, the authority of the imperial government in Italy was reduced to a shadow. Upon the Pope then fell the responsibility for the safety of Rome and the feeding of its inhabitants.[12] Rome became a kind of semi-independent member of the Byzantine State. "This anomalous position was very favorable to the exercise of papal influence in the barbaric kingdoms of the West, since the Papacy enjoyed the prestige of its connection with the Eastern Empire without any danger of being considered an instrument of imperial policy."[13]

But the Popes were not covetous of this temporal power and prestige. The inheritance of the great traditions of Rome, left begging by the withdrawal of the secular monarch, fell, as it were, into the lap of the Christian bishop.[14] Carlyle writes with regard

10. P. Vinogradoff, *Collected Papers,* Vol. II, p. 461, brands these two principles as "discordant." That they were inherently so, we deny.
11. R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, pp. 2, 3.
12. See the life and letters of Pope Gregory the Great. P. Batiffol, *St. Gregoire le Grand,* presents a fine authoritative study on this Pontiff.
13. C. Dawson, *The Making of Europe,* p. 194.
14. C. Turner in the *Cambridge Medieval History,* Vol. I, p. 173.

to the rise of the papal temporal power: "Anyone who studies the papal correspondence and the *Liber Pontificalis* in the eighth century will, we think, feel that the leadership of the Roman *res publica* in the West was forced upon them (the Popes) rather than deliberately sought. It was only slowly and reluctantly that they drew away from the Byzantine authority, for after all, as civilized members of the Roman state, they preferred the Byzantine to the barbarian."[15] In a similar manner in the ninth century the Papacy submitted to the control of the Carolingian Empire and even accepted terms which were equivalent to making the Emperor the master of the Roman State and giving him practical control over the appointment of the Pope. Nevertheless, this association with the Carolingian Empire of itself increased the political importance of the Papacy and, as the Empire grew weaker and more divided, the Papacy came to be regarded as the supreme representative of western unity. The universality inherent in Christendom, which took concrete form in universal papal rule, transcended the boundaries of the newly-arising kingdoms. As their power became more and more entangled and feeble, the papal prestige grew.

Charlemagne and the Ottos exercised positions over the Church similar to that held by a Mohammedan caliph, and for those particular periods the condition of the Western Church differed very little from that of the Byzantine Church — both were under the domination of their respective rulers. But Charlemagne and the Ottos never attempted to ape the domination in ecclesiastical affairs of a Roman or Byzantine Caesar. The Carolingian and Othonian theocracies differed from the Byzantine in that they were inspired and controlled by the Church. They were always ready to submit to the decisions of papal authority. In all this period the Papacy maintained its importance and the Pope was always regarded as the supreme arbiter. Nor can the charge be substantiated that the Church in Germany under Otto became a national Church. The acts of all its synods were sent to Rome for approval and the assent of the Pontiff was sought for the many missions inaugurated by Otto. Likewise, there was no lay bureaucracy such as existed in the Eastern Empire; its place was taken by the episcopate from which the majority of the Emperor's advisors and ministers

15. R. W. and A. J. Carlyle, *op. cit.*, Vol. I, p. 289.

were drawn. Consequently, as soon as the strong hand of these Emperors was removed, the theocratic ideal led to the exaltation of the spiritual power and the clericalisation of the Empire rather than to the subordination of the Church to the secular power.[16]

The breaking up of the Empire of Charlemagne might indeed seem to have set the Papacy at liberty, but actually it left it under the tyranny of the barbarous factions of the Roman nobles, and its degradation was even deeper than that of the State. It was rescued from this in the tenth century by the Ottos, and in the eleventh by Henry III, but the conditions of its deliverance held in themselves the seeds of disaster. The Emperor exercised, and for the time with excellent results, a very large measure of control over the Church, and especially over the appointment of its chief ministers, but it was impossible that the Church should long acquiesce in this. Control soon was in the hands of less conscientious or less capable princes and the Church suffered severely. Historians write at length of the abuses among the clergy, yet the very set-up of the feudal system was to a great extent responsible. Ecclesiastical benefices were offered to the highest bidder with little or no regard for the moral qualifications of the prospective occupant. To what extent the kings and princes were accountable for the simony and concubinage rampant in the Church, it is impossible to determine. Yet there can be no question that in many instances they appointed men, capable enough as statesmen, but from a moral standpoint, completely unfit for spiritual offices.[17] The result was a devastating breakdown in the character of the clergy.[18] But control of the spiritual by the temporal could not last for long. The principle of its necessary independence was too firmly rooted in the Church's history, and it was the attempt to recover and vindicate this which

16. C. Dawson, *op. cit.*, p. 258.
17. In one of St. Peter Damien's smaller treatises, for instance, he attacks with great vigor the custom of appointing men to bishoprics because of the services they had rendered in administration of secular offices. *Opusculum XXII*, ap. Migne, *P. L.*, Vol. 145, p. 463 ff. Yet he recognizes very explicitly the right of the secular authorities to elect their bishop and the place of the Emperor in his appointment. *Epistolae*, Bk. V, 10, *loc. cit.*, Vol. 144, p. 353.
18. Peter Damien, *Liber Gomorrhianus, loc. cit.*, Vol. 145, pp. 159 ff.

led to the great conflict of the Papacy and the Empire in the later Middle Ages.[19]

Gregory VII with peculiarly shrewd vision saw the dire results for the Church and sought to restore the pristine independence from lay-intervention. His life's aim was to strike the death blow against lay-investiture, simony, and clerical incontinence. Not to be overlooked, however, are the many abortive efforts of Leo IX (e.g., Council of Rheims, 1049) and the sincere cooperation of Henry III against ecclesiastical abuses, particularly simony. They all contributed their part in effecting an atmosphere of reform. But history contains no parallel to the epic grandeur of the struggle carried on by the frail figure of Hildebrand on the papal throne against the combined opposition of the rulers of Christendom. Unfairly has the reproach been lodged against him that he aimed at a reconstruction of society in which the spiritual power was to hold the civil and temporal in complete subjection.[20] Gregory's adherence to the Gelasian principle of a two-fold authority is evidenced in his letter to Rudolph, Duke of Suabia. He speaks of his hope that the *sacerdotium* and the *imperium* may be united in concord, that, as the human body is ruled by its two eyes, so the body of the Church may be ruled and enlightened when the two authorities agree in the true religion.[21] It remained for Gregory to bring the struggle to a crisis and turn the tide of battle toward a victory for the Church. Hildebrand and Henry represented two divergent views, two antagonistic conceptions, of the relations of Church and State. Henry's view was the very embodiment of absolutism; Gregory's of constitutional liberty. Gregory saw that an independent episcopate was the one power capable of counterbalancing and resisting the all-pervading tyranny of the imperial bureaucracy.[22] Had Henry been successful, the Gelasian conceptions of the relations of Church and State would have been utterly discarded, and the Catholic idea of Christianity would have been

19. R. W. and A. J. Carlyle, *op. cit.,* Vol. III, p .16.
20. A. Cavanagh, *Pope Gregory VII and the Theocratic State,* (diss.).
21. *Registrum,* I, 19, M.G.H., Epistolae.
22. Neander, speaking of early Germanic history, says that the Church was the one source of culture, the one counterpoise to brute force, the one cultivated body throughout the whole human society. *Kirchengeschichte,* Vol. II, p. 49.

superseded by the particularism and nationalism of the Byzantine Church.[23]

The reforming movement of Gregory VII was at one and the same time revolutionary and conservative. It aimed, whether consciously or unconsciously, at undoing the work of Charlemagne and the Ottos, at cutting through the dense growth of custom and prescription that bound Church and State together, and at reconstituting the Church as a free and universal spiritual society under the sovereignty of the Apostolic See with its own code of laws and its own independent legislative and judicial system. "It broke with the traditions of the Carolingian Empire and the territorial Church in the name of canonical principles and of patristic and apostolic ideals."[24] To the age in which Hildebrand lived this was revolutionary in the extreme. Men had grown accustomed to the Church being a docile tool of the imperial power. To counteract this with finality demanded the employment of drastic revolutionary measures. Yet, at the same time, the action of Hildebrand was conservative. The distinction and independence of Church and State, of the spiritual and temporal powers, was recognized in theory even then, as it had been in patristic times. But the growing feudal system had in actuality almost obliterated all lines of distinction.

The cause of conflict during the pontificate of Hildebrand was simply an effort to re-adjust the two spheres of power and to determine their respective sovereignty. "The prohibition of investiture was in truth only the occasion of this conflict; the real issue, at least at the height of the contest, was whether the imperial or the papal power was to be supreme in Christendom."[25] And although Gregory's struggle apparently ended in failure, he did force upon the State the realization that the Church, at least in spiritual affairs, should be independent. High-minded men began to realize the truth of Gregory's contention, and gradually the consciousness grew that, if the Church was to be shorn of the current abuses of

23. Cf. A. Cavanagh, *op. cit.*, p. 32.

24. C. Dawson, *Medieval Religion,* p. 26. Consult letters of Gregory VII, contained in the *Registrum* (2 vols.), *loc. cit.,* to see how frequently the Pontiff appeals to the freedom and independence of the early Church.

25. K. Loeffler in the *Catholic Encyclopedia* — art. "Investiture," p. 84.

simony and clerical incontinence, lay-investiture must be abolished. Gregory had clearly pointed out that simony and clerical incontinence were to a great extent only the off-shoots of lay-investiture, and that at the root of the evil in the Church was lay-investiture.[26] Succeeding pontiffs — Urban II, Paschal II, Callixtus II — doggedly followed in his policies. Men of ability and standing such as Guido of Ferrara, Cardinal Deusdedit, Hugh of Fleury, and Ivo of Chartres fully appreciated the position of Gregory and diligently sought after some kind of solution. Ivo of Chartres, generally conceded to be one of the most learned and level-headed men of his time, gives his opinion that inasmuch as investiture by the hand of a layman was an invasion of another man's right, it should be abolished, when this could be done without causing schism. But if it should have this consequence, such action should be postponed.[27] Ivo and his contemporaries as a whole represented a mediating tendency and at the turn of the century, the problem seemed well on the way to a solution.

The first definite settlement of the investiture conflict was startling in its boldness and audacity and came as a shock to contemporaries. Reflecting all the zeal of his early Cluniac training Paschal II sought to strike the death blow at the conflict by a complete surrender of all feudal holdings on the part of ecclesiastics.[28] The Pope admits that it was the fact that the bishops held great

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26. Decree of Gregory VII issued on Nov. 19, 1078. "Since we know that investitures have been made by laymen in many places contrary to the decrees of the holy fathers, and that *very many disturbances injurious to the Christian religion have thereby arisen in the Church,* we therefore decree: that no clergyman shall receive investiture of a bishopric, monastery or church from the hand of the Emperor, or the King, or any lay person, man or woman. *Registrum,* I, 7, *loc. cit.,* p. 403.

27. *Ep. ad Ioscerannum,* M.G.H., LL., Vol. II, p. 654.

28. Cf. account in Ekkehard's *Chronicon Universale,* M.G.H., SS., Vol. VI, p. 244. For the reciprocal promises of Henry V and Paschal II see M.G.H., Leges, Vol. II, pp. 67 ff. "All the royal offices and benefices which belonged to the Empire in the time of the Emperors, Charles and Louis, and your other predecessors, and which are now held by the Church, we order to be restored to you. We forbid any bishop or abbot, under pain of anathema, to hold any of these *regalia;* that is, cities, duchies, marks, counties; rights of

political powers which had led to the claim that the bishop could not be consecrated without the royal consent and investiture. And he rightly contends that this had led to simony and often to the complete destruction of the right of free election. It was, therefore, to destroy the root of the trouble that Paschal proposed that the Church should surrender all *regalia,* while Henry promised in return to surrender investiture. Paschal in his decree revealed the influence of Hildebrand: "Our predecessors, Pope Gregory VII and Pope Urban II, of blessed memory, were impelled by the many evils resulting from this practice to condemn lay-investiture in several councils."[29] There is reason to believe that Henry insidiously sought to entrap the Pontiff; he hoped that the storm of protest arising from such a measure would compel the Pope to recognize the futility of any attempt at settlement. To the men of the time, accustomed to the feudal regime, with the clergy for scores of years in the position of vast landowners, this action was revolutionary in the extreme. Despite the Pontiff's sincerity and lofty intentions and even his use of severe measures to enforce his new policy, the action met with vigorous and vehement disapproval and proved completely ineffective. Paschal forgot that both political and ecclesiastical life were completely entangled in the meshes of feudalism. There is no doubt that the proposals were too far-reaching and radical and, if carried out, would have completely altered the political position of the Church.

Despite this first abortive attempt at settlement, the principle and policies of Gregory VII continued to exercise their influence. Pressure continued to be exerted upon Henry V on all sides. Repeated excommunications, at Beauvais, Rheims, Cologne, Goslar, were pronounced and the Emperor sought to enter into negotiations. Already a basis for compromise lay in the distinction between the ecclesiastical and the secular elements in the appointment of bishops. This mode of settlement had already been discussed in various forms by Ivo of Chartres as early as 1099.[30] The bestowal of

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minting, markets, or tolls; offices of advocate or hundred-man; estates which belonged to the Empire, with any of their appurtenances, the right to hold castles or to do military service."

29. *Ibid.*

30. Cf. R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, pp. 98 ff.

the ecclesiastical office was sharply distinguished from the investiture with imperial domains. As symbols of ecclesiastical installation, the ring and staff were suggested; the sceptre served as the symbol of investiture with the temporalities of the see. The chronological order of the formalities raised a new difficulty. On the imperial side it was demanded that investiture with the temporalities should precede consecration, while the papal representatives naturally claimed that consecration should precede investiture. If the investiture were to precede, the Emperor by refusing the temporalities could prevent consecration; in the other case, investiture was merely a confirmation of the appointment. At the last moment, as the articles were to be ratified by the Synod of Rheims, the Emperor broke negotiations and the Pope renewed the excommunication. Proceedings were reopened and finally, three years later, 1122, a working agreement was reached in the Concordat of Worms.[31] True, the Concordat of Worms was a compromise — both Pope and Emperor made concessions — nevertheless, it was a great stride toward the achievement of Church independence.

In the Concordat[32] the Emperor promised to renounce forever the practice of investiture with ring and crosier and granted full freedom in all elections and consecrations to ecclesiastical offices. He promised, likewise, to restore and to assist in the restoration of ecclesiastical property; he pledged peace and security as well as aid and loyalty to the Papacy and the Church. The Pope, in turn, granted the Emperor the right to be present at the elections of bishops and abbots in Germany and to invest them *per sceptrum*. He also conceded him a voice and a certain degree of authority in disputed or contested elections, but forbade simony and force to be employed at any time. In Germany the prelate should receive investiture with the sceptre before consecration. In the other parts of the Empire the bishop or abbot, within six months of his consecration, was to receive the *regalia* from the Emperor *per sceptrum* and was to discharge all his lawful obligations. Callixtus con-

31. The Concordat of Worms may be called the first concordat, unless the agreement of 1107 between St. Anselm and Henry I of England is reckoned, as it may be, among the number of concordats.

32. The text of the Concordat of Worms may be found in M.G.H., Leges, Vol. II, pp. 75 ff. or Mansi, *op. cit.*, Vol. XXI, p. 274.

cluded with a promise to smooth over any grievance that might arise in as far as consistent with his office.

The Concordat of Worms was by no means a definite settlement, and a wide divergence of opinion as to its interpretation soon followed. Henry V, and later Frederick Barbarossa, quickly perceived the evident openings in the document for evasion and escape and interpreted it in a sense most favorable to the imperial cause.[33] The implication of the *praesentia regis* at elections and the extent of the Emperor's influence in disputed elections were vague and uncertain. Then, also, there was danger in regard to investiture, for the Emperor still had the right to invest ecclesiastics with the *temporalia per sceptrum,* and this gave him considerable influence over the bishops as temporal lords. To the imperial cause this was of vital concern since prince-bishops and mitred abbots often exercised far more extensive rule than many a secular baron in feudal Germany. Nevertheless, despite the strongly dissenting voices complaining that Callixtus had conceded too much to the Emperor, the Concordat of Worms was a solution and the Council of the Lateran in the following year, 1123, sealed this accomplishment of the Gregorian reform.[34]

The importance of the Concordat of Worms, which terminated the conflict of fifty years between spiritual and temporal powers, has been variously estimated. Yet, it is undeniable that, to be able to judge adequately and fairly concerning the position of Frederick Barbarossa and the Church, it is necessary to keep before one's

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33. *Cambridge Medieval History,* Vol. V, p. 108. "...the version of the Concordat given by Otto of Freising, chronicler of Barbarossa, represents Frederick's point of view; the difference between Italian and German bishoprics is ignored, and the wording of the Concordat is slightly altered to admit of interpretation in the imperial sense." Otto of Freising, *Chronicon,* VII, 16, M.G.H., SS., Vol. XX, p. 256. For a full discussion of the text, as well as for an admirable and detailed treatment of the agreement, see the monograph of E. Bernheim, *Zur Geschichte des Wormser Konkordats.* Bernheim argues that the version used by Otto of Freising was defective and must have been a deliberate falsification of the text; he points out that it corresponds with the action of Henry V with reference to a disputed election to the Abbey of St. Gall in 1123. Cf. pages 97 and 98 of this study.

34. Mansi, *op. cit.,* Vol. XXI, pp. 282 ff.

mind the stipulations of this document.[35] Granted that there are very few direct allusions to the Concordat subsequent to 1122, it did play, in an intangible way, an important role in shaping opinion. Princes were made to realize that the Church had definite rights and that it insisted upon the surrender of certain abuses. They were unequivocally made conscious of the fact that there was a realm of authority into which they dare not intrude. The Concordat of Worms was a decided victory for the papacy.[36] It was in form a compromise, designed to spare both parties the humiliation of defeat. Yet the Papacy remained the master of the field. The Emperor retained but one-half of those rights of investiture which had formerly been his. He could never resume the position of Henry III; his wishes or intrigues might influence the proceedings of a chapter, his oath bound him from open interference. "He had entered the strife in the fullness of dignity; he came out of it with tarnished glory and shattered power. His wars had been hitherto carried on with foreign foes, or at worst with a single rebel noble; now his former ally was turned into his fiercest assailant, and had enlisted against him half his court, half the magnates of his realm. At any moment his scepter might be shivered in his hand by the

35. G. Wolfram, *Friedrich I und das Wormser Concordat,* p. 1.

36. F. Gregorovius, *History of the City of Rome in the Middle Ages,* Vol. IV, ii, p. 400. "The Papacy had attained its legal independence from the Empire and resting on the secure foundation of its freedom, recognized by Europe, could henceforth develop its spiritual power into a world power." — R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, p. 307, seems inclined to doubt whether the view of those maintaining that the Papacy had triumphed over the Empire can be seriously defended. He rather holds that "in the main it represents the triumph of that mediating tendency whose development we have endeavored to trace, and not the complete victory of the extremists of either party." See. p. 163. — C. Dawson, *op. cit.,* p. 23. "The conflict had, however, brought an immense gain of prestige to the Papacy and a corresponding loss to the Empire." — J. W. Thompson, *Feudal Germany,* p. 158. "The famous clause requiring the *presentia regis* for valid election and that requiring investiture before consecration, saved not only the honor, but the authority of the king. He could block the candidacy of a bishop who was displeasing to him. The great purposes for which Gregory VII had struggled were unfulfilled at Worms. Calixtus II renounced the pretensions of his predecessor." (This latter phrase is aimed at Gregory VII.)

bolt of anathema, and a host of enemies spring up from every convent and cathedral."[37]

The settlement of Worms secured peace between the Church and the Empire for more than thirty years,[38] and the spirit of Hildebrand continued to inspire the occupants of the Papacy. In 1125 the Emperor, Henry V, died and, if the hereditary principle previously held to in Germany had been followed, the Hohenstaufen, Frederick, Duke of Suabia, should have been given the crown. He had married Agnes, the sister of Henry V, and was the grandfather of Frederick Barbarossa. But the day of the Hohenstaufens had not yet come, and the electors, anxious to assert their independence, deliberately passed over Frederick of Hohenstaufen. In addition, the bishops and abbots who had been papal partizans were opposed to him on account of his support of his uncle, Henry V, and their fear that he would continue the policy of the latter.[39] So instead, they gave the crown to an upstart prince without a drop of royal blood in his veins. This was Lothair of Supplinburg, related by marriage to the powerful house of Welf or Guelf.[40] Thus began the bitter fued that was to convulse German and imperial politics for many generations.[41]

The election of Lothair afforded the zealous ecclesiastical party an opportunity to seek an alteration of the Concordat of Worms with a view to obtaining greater freedom of the Church in Germany. According to the author of a very important account of his election, it was their desire that the Emperor should renounce his right of being present at elections thus relieving the election of the con-

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37. J. Bryce, *The Holy Roman Empire,* pp. 158, 159.

38. Except in the case of Henry V, already referred to, who, in the disputed election to the Abbey of St. Gall, obtained a judgment from his court that in consequence of the dispute it was open to him to appoint whomsoever he wished (*Casuum Sancti Galli, Continuatio,* M.G.H., SS., Vol. II, p. 160), the settlement of Worms was conscientiously adhered to until the time of Barbarossa. It would seem that Otto of Freising's attempt to justify Frederick by appeal to tradition had reference to Henry's action at St. Gall.

39. D. C. Munro, *The Middle Ages,* p. 284, adduces this reason.

40. Otto of Freising, *Chronicon,* VII, 17, *loc. cit.,* p. 256.

41. *Ibid.,* pp. 256 ff.; *Gesta Friderici,* I, 16, 20, M.G.H., SS., Vol. XX, pp. 360, 361.

comitant fear and constraint.[42] In addition, the Emperor should invest the bishop, freely elected and freely consecrated, with the *regalia per sceptrum,* while the bishop should take the customary oath of allegiance. This would mean that it was agreed that the terms of the Concordat of Worms should be modified in two important particulars — first, the election should not be conducted in the presence of the Emperor; and second, that the investiture with the temporalities should take place after consecration and not before. That Lothair bound himself by agreement in these matters cannot be proven.[43] It is clear that Lothair's actual administration did not conform to any such agreement, but rather that he normally maintained the terms of the settlement of Worms.[44]

No doubt, taking advantage of the disputed papal election, Lothair in 1131 at Liege urged upon Innocent II the restoration of investiture as it had been exercised by his predecessors.[45] St. Bernard by his influence contributed greatly toward the papal refusal. It may have been in consequence of this that Pope Innocent, after the consecration of Lothair as Emperor in 1133, issued a document which definitely forbade bishops and abbots in the German Kingdom to take possession of the *regalia* until they had received them from the Emperor.[46] This probably made some satisfaction to the imperial demand. Nevertheless, despite this, it does appear at times that Lothair did make concessions to the Church even beyond the requirements of the Concordat of Worms. It was likewise on the occasion of his consecration that Lothair availed himself of the opportunity to settle the dispute which had arisen con-

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42. *Narratio de Electione Lotharii Saxoniae Ducis in Regem Romanorum,* M.G.H., SS., Vol. XII, p. 511. "Habeat ecclesia liberam in spiritualibus electionem, nec regio metu extortam, nec presentia principis ut ante coartatam, vel ulla peticione restrictam."

43. F. X. Funk, *History of the Church,* Vol. I, p. 346; R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, p. 309.

44. Cf. E. Bernheim, *Lothar III und das Wormser Concordat.*

45. *Vita Sancti Berhardi,* Lib. II, i, 5, ap. Migne, *P. L.,* Vol. 185, p. 271. "Siquidem importune idem rex institit, tempus habere se reputans opportunum, episcoporum sibi restitui investituras, quas ab eius praedecessore imperatore Henrico per maximos quidem labores et multa pericula Romana Ecclesia vindicarat."

46. *Constitutiones,* M.G.H., Leges (old ed.), Vol. I, Sect. IV, p. 168.

cerning the heritage of Matilda, Countess of Tuscany. In view of Lothair's services in behalf of the Church, Innocent granted him these lands as a fief.[47] The question was not thereby settled forever, because later Emperors refused to be bound by the action of Lothair and renewed imperial pretensions.[48] The growing ascendency of the papal claim was well illustrated by Innocent II, who, probably because Lothair had become his vassal for the lands of Matilda,[49] caused a wall of his palace to be decorated with a painting representing Lothair kneeling at the Pope's feet, doing him homage, and receiving from him the imperial crown. The inscription below read as follows:

> *"Rex venit ante foras jurans prius urbis honores,*
> *Post homo fit papae recepit quo donante coronam."*[50]

It was this fresco with its inscription which Frederick Barbarossa so vehemently resented and later succeeded in removing from the Lateran palace. He thought, and many historians after him, that the representation was an arrogant claim on the part of the Church that the Empire was but a papal fief. In accordance with the agreement of Worms,[51] Lothair on this same journey sought to subdue Roger of Sicily, but in this he was unsuccessful. St. Bernard strongly urged Lothair to renew hostilities, appealing to the fact that his own prerogatives were at stake. "Just as that Jew (Anacletus II) rebelled against Christ when he seized the papal chair, so anyone who would make himself King of Sicily rebels against Caesar."[52] In 1137 Lothair succeeded in conducting Innocent to Rome. In

47. "By our apostolic authority we grant you the allodial land which the Countess Matilda formerly gave to St. Peter; ...your representative in the government of the land shall take an oath of fidelity to St. Peter and to the Pope." Mansi, *op. cit.,* Vol. XXI, p. 391.
48. P. Schaff says: "On this transaction later popes based the claim that the emperor was a papal vassal." *History of the Christian Church,* Vol. V, p. 96.
49. Thatcher and McNeal, *Europe in the Middle Ages,* p. 220. Although the exact motive to account for the painting cannot definitely be ascertained, this seems to be the best explanation.
50. Ragewin, *Gesta Friderici,* III, 10, M.G.H., SS., Vol. XX, p. 422.
51. In the concordat the Emperor also promises to render assistance to the Church.
52. Ep. 379 ap. Migne, *P.L.,* Vol. 182, p. 294.

his death, not long after, 1138, the Papacy lost a strong and faithful supporter.[53]

Conrad III was the choice of the electors and with him the antipapal party once more gained power. He gave every promise of being a great ruler, his character and attainments would justify the highest hopes of this, the first of the Hohenstaufen's rule. The poet-chronicler, Godfrey of Viterbo, compares him to the ancient personification of the virtues, "a Seneca in council, a Paris in appearance, a Hector in battle."[54] Contemporaries speak in high terms of his piety, clemency, moderation, generosity, intellectual ability, bravery and tireless energy. Yet Conrad was the man who undoubtedly lowered the prestige of Germany. Internal troubles ran riot and he fell far short of expectations. It required all the powers of statesmanship with which his nephew, Frederick Barbarossa, was so richly endowed to extricate Germany from the disruptive condition in which Conrad left it. Yet, never was there greater concord between Church and State. But he seemed impotent to carry out the stipulation of the Concordat of Worms to render assistance. In 1139 Innocent came to an agreement with Roger of Sicily and won his support by granting him the royal title.[55] Conrad was sorely offended by this and protested against it. He regarded Roger as an usurper, declaring that the kingdom which Roger held, i.e., Sicily and southern Italy, was part of the Empire and, therefore, the Pope had no right to recognize Roger as King there. St. Bernard in a somewhat curt letter told Conrad to obey the Pope.[56] Internal difficulties, particularly with the Welfs, occupied his attention at home and in the course of time, it seems, he

53. J. Bryce rather unfairly brands Lothair "the willing minion of the Pope." *Op. cit.,* p. 161.

54. *Pantheon,* M.G.H., SS., Vol XXII, p. 263.

55. Jaffe, *Regesta Pontificum Romanorum,* Vol. I, No. 8042, p. 890.

56. Ep 482, ap. Migne, *P. L.,* Vol. 182. Nor can it be concluded that Bernard suddenly and arbitrarily changed his stand because it was advantageous to the papal cause. Thatcher and McNeal in their commentary leave this impression. *Source Book For Mediaeval History,* pp. 272 ff. It must be remembered that a clause in the Concordat of Worms promised aid on the part of the Emperor. Innocent was in dire straits, but assistance from Conrad was not forthcoming. Hence, the action he followed was about the only possible escape from the predicament.

acquiesced in the situation in Italy. With regard to investiture Conrad seems never to have exceeded the stipulations of Worms. Sometimes, and especially in his own territories, he asserted his rights; but at other times, and in other parts of the Empire, he could not, or at any rate did not, enforce them. Frequently he was not present at elections, and the investiture with the temporalities followed instead of preceded the consecration.[57] During Conrad's reign, in 1143, Pope Innocent died. His policy of Church and State, which clearly shows forth the Gelasian principle and which he sincerely attempted to carry out, is admirably expressed in one of his letters: "If the sacred authority of the Popes and the imperial power are imbued with mutual love, the homage due to God can freely be given, and then only can peace and harmony exist among Christian peoples. For there is nothing so sublime as the Papacy nor so exalted as the imperial throne."[58]

The pontificates of the next three occupants were spent in turmoil with short intermittant periods of peace. Unrest prevailed in Rome. During the past twenty years or more no Emperor had shown himself in Italy for any length of time, and the cities had taken advantage of this absence to increase their independence without disputing the sovereignty of the Empire. They merely permitted these rights to drop into disuse and paid little attention to the Empire's claims.[59] This great municipal movement extended even to Rome, where perhaps a certain autonomy in civic government and the dream of former glories had never quite ceased. The memory of the city's imperial supremacy in ancient days was tenaciously retained and it later expressed itself in ridiculous pretensions upon Barbarossa's first visit to Rome.[60] Nevertheless, these

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57. R. W. and A. J. Carlyle, *op. cit.,* Vol. IV, p. 310.
58. Mansi, *op. cit.,* Vol. XXI, p. 392.
59. Barbarossa himself attributes the spirit of independence in northern Italy to the long absence of the Emperors. "Haec (Longobardia) quia propter longam absentiam imperatorum ad insolentiam declinaverat, et suis confisa viribus aliquantum rebellare coeperat." Cf. his letter to Otto of Freising preceding the first chapter of the *Gesta Friderici, loc. cit.,* p. 348. Cf. also Butler, *The Lombard Communes,* pp. 99 ff., and G. B.Testa, *The War of Frederick I Against the Communes of Lombardy,* pp. 126 ff.
60. Otto of Freising, *Gesta Friderici,* II, 21, *loc. cit.,* pp. 404, 405.

republican and reforming tendencies did not attack the idea of the Empire and Papacy. These in the mind of all Christendom were inseparable from the idea of human society.[61]

Principally responsible for the unrest in Rome was Arnold of Brescia, an eloquent radical, who was devoting his energies to a fierce denunciation of the clergy for their wealth and political ambitions. Nor were his accusations entirely unfounded. Arnold placed himself at the head of a republican movement, and his incendiary philippics against the bishops, cardinals, and even the ascetic Pontiff, Eugenius III, who treated him with extreme lenity, worked his hearers into such fury that Rome resembled a city captured by barbarians. Revolt upon revolt checkered the pontificate of Eugenius.[62] Completely incapable of controlling the situation in Rome, he spent almost his entire pontificate outside the city. Still assistance from Conrad was not forthcoming. It was in this period of turbulence and war that Nicholas Breakspear, later Adrian IV, came to Rome at the request of Eugenius III. He had ample opportunity to study the condition of affairs in the imperial city, the action of the republic, and the career of Arnold of Brescia — a study which bore fruit in after years.[63]

But before the Pope lay problems of vaster importance than the maintenance of order in Rome. The Christian principalities in Palestine and Syria were threatened with extinction. Eugenius commissioned St. Bernard to preach the second crusade and the wonderful appeal of his eloquence carried away all classes of Christians in western Europe. Emulating the deeds of Peter the Hermit, Bernard traversed the continent and finally roused the Emperor Conrad and his nephew, Frederick Barbarossa, to join the militant host.[64] The crusade was a wretched failure. In the meantime the

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61. U. Balzani, *The Popes and the Hohenstaufen,* p. 14.
62. Duchesne, *Liber Pontificalis,* Vol. II, pp. 386 ff.
63. A Tarteton, *Nicholas Breakspear (Adrian IV), Englishman and Pope,* p. 48.
64. U. Balzani, *op. cit.,* p. 19. "...he (Bernard) far exxceeded the prudent wishes of the Pope. Eugenius would have preferred that Conrad should have remained in Europe to look after Germany and to be free to come into Italy, receive the imperial crown, and restore papal authority in Rome." There is no evidence for this statement and the saintly character of Eugenius is hardly compatible with such

turmoil at Rome once again passed out of hand and at the height of the excitement Conrad returned from the East. He immediately made plans for intervention, but these were suddenly ended by his death in 1152.

In the three-quarters of a century that elapsed from the inauguration of papal ascendency under Hildebrand to the beginning of the reign of the Emperor Frederick Barbarossa, the Papacy had won certain definite and solid advantages. It had a charter from the Emperor granting the free canonical election of bishops and abbots, and the right to invest them with the ring and the crosier. It had achieved complete possession of the disputed lands of Matilda, and a mural painting gave mute assertion to its claim of supremacy over the Empire. By conferring on the Duke the title of King, the Papacy assumed feudal proprietorship of Sicily and southern Italy. The Empire, on the other hand, had gained nothing. While the Emperors Henry IV and Henry V struggled desperately to maintain the domination exercised by their predecessors, both Lothair and Conrad afforded little opposition to the papal cause. Consequently, under them the imperial pretensions to supremacy faded out and lost the aggressiveness which had characterized them under the two preceding Emperors. If we compare the position of the Empire and the Papacy in 1075 with their position in 1152, there can be no doubt that the first period of the struggle had turned decidedly to the advantage of the Papacy. This, in brief, was the situation which greeted the advent of the "imperialist Hildebrand,"[65] the greatest of the Hohenstaufens, Frederick Barbarossa!

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a selfish procedure. Without doubt, he far preferred the liberation of the Holy Land to his own comfort in Rome. A Tarleton, *op. cit.*, p. 43, writes: "...he (Eugenius) certainly committed some errors of judgment; but his reputation for purity of intention and for real sanctity is unsullied."

65. J. Bryce, *op. cit.*, p. 161.

CHAPTER II

THE CHARACTER OF FREDERICK BARBAROSSA

Appreciating the youth and inability of his own son, Frederick, and seeking rather the advantage of the Empire than of his own offspring, Conrad III designated (*commendans*) his nephew, Frederick Barbarossa, as his successor.[1] Frederick I, German King and Roman Emperor, was the son of the Hohenstaufen, Frederick, Duke of Suabia, and Judith, daughter of Henry the Black. Connected maternally with the Welfs, he combined in his person the blood of the two warring factions, Welfs and Waiblingens, Guelfs and Ghibellines, according to the later Italian designation.[2] It seemed providential that finally someone had arisen who was destined to effect a reconciliation between them.

Of the early years of Barbarossa little is known. He was born in 1123 and, true to the tradition of his age, spent his youth in gaming and intensive military training. At twenty-three years of age he roused public attention by a determined and victorious march against Duke Conrad of Zahringen. By his dogged per-

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1. Otto of Freising, *Gesta Friderici,* I, 63, M.G.H., SS., Vol. XX, p. 389. — Fortunately for the historian the *Gesta Friderici* of Otto of Freising and its continuation by Ragewin afford detailed material on Barbarossa which, at the same time, is trustworthy. Of Otto one author writes: "... the two books of Frederick's biography, or *Gesta,* down to 1156, give us a very favorable specimen of Otto's many-sided powers as an historian... No better account than his has reached us of one of the great journeys to Rome for the imperial crown, the *Roemerzug* of 1154-55, and no one has written in the same compass a better description of those Lombard communes with which the Emperor had to contend." C. Haskins, *The Renaissance of the Twelfth Century,* p. 243. Though naturally these German historians tend to present their master in the best light possible, they have all the appearances of being honest as to fact.
2. "Hohenstaufen and Waiblingen are neighboring castles in *Suabia.*" R. L. Poole, *Historical Atlas,* map 35. Waiblingen is generally supposed to be the Italian Ghibelline, which, however, as a party name was rarely used outside of Italy and there apparently not until the thirteenth century.

sistence, with the odds of battle against him, he won the admiration of all.[3] Not long after this, in 1147, he accompanied his uncle, Conrad III, on a crusade to the Holy Land, much to the displeasure of his aging and ailing father who feared the danger to his promising son and heir.[4] Although this second crusade accomplished nothing, Frederick acquitted himself with great credit and was one of the few who returned to Europe with an enhanced reputation.[5] His meteoric rise in the eyes of the Germans because of his shrewd generalship, his personal qualifications, and, as mentioned above, his connection with both Welf and Waiblingen factions, led to his unanimous election on March 4, 1152.[6]

Scarcely thirty years of age, Frederick was a thoroughly imperial figure, combining majesty of personal appearance with attractive kindliness. According to contemporary description,[7] he was typically German with blond hair and reddish beard, whence his famous name of Barbarossa given him by the Italians. His eyes were clear and bright, his nose well shaped, and his whole countenance joyous and merry. His throat and neck were somewhat thick; his milk-white skin easily reddened, not through anger but from modesty. Resolute, born to command, discriminating, he understood men. He possessed a keen sense of justice and, on the very day of his election, refused to pardon a suppliant who knelt before him — "*dicens, non ex odio sed iusticiae intuitu illum*

3. In this connection Otto of Freising speaks of Frederick in glowing terms: "These and other arduous undertakings he carried on in his youth, so that in the wonderment of many (*cum multorum stupore*) not unjustly can the passage of the Gospel be applied to him: 'What, think you, shall this child be?'" *Gesta Friderici,* I, 26, *loc. cit.,* p. 366.
4. *Ibid.,* I, 39, *loc. cit.,* p. 373.
5. Hergenroether-Kirsch seems to think that it was on this expedition that Frederick became imbued with principles of state absolutism. "Dieser (Friedrich) war im Orient, wohin er seinen Oheim Konrad III begleitet, mit der despotischen Herrschaft der griechischen Kaiser und der sarazenischen Sultane bekannt, dann durch die Hofjuristen mit den Rechsanschauungen der Zeit Justininas vertraut geworden." *Handbuch der Allgemeinen Kirchengeschichte,* Vol. II, p. 452.
6. "Principes ... etiam hoc, quod utriusque sanguinis consors ... considerantes, caput regni eum constituere adiudicaverunt." Otto of Freising, *Gesta Friderici,* II, 2, *loc. cit.,* p. 391.
7. Ragewin, *Gesta Friderici,* IV, 76, M.G.H., SS., Vol. XX, p. 490.

a gratia sua exclusum fuisse."[8] He was severe and often ferocious even calculatingly so, as in the case of the Lombard cities, yet never was coldly or uselessly cruel.[9] As a knight and a general he was rivalled only by Richard the Lion-Hearted, but in both statesmanship and personal character he was far superior to the English King.[10] He always spoke Latin with difficulty though he read it with pleasure, especially histories narrating the grandeur and glory of the Empire he wished to restore — *"antiquorum regum gesta sedule perquirit."*[11] Charlemagne and Otto the Great were his ideals and the tradition of these men colored his entire career. Barbarossa was the "finished type of the feudal lord, handsome, chivalrous, intrepid, harsh to the vanquished, amiable to his friends, with quick perception and an innate feeling for the majesty of his royal vocation."[12]

Frederick had qualities of character that were truly noble. He was a man of deep and sincere piety, regularly gave a tithe of his income to churches and monasteries and usually distributed alms to the poor with his own hand. Moderation in food and clothing was his characteristic, and his habitation betrayed rather the glory of Mars than that of Venus — *"potius Martis pompa radiet quam*

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8. Otto of Freising, *Gesta Friderici,* II, 3, *loc. cit.,* p. 392.

9. Those not under the spell of his personality took a view very different from that of his panegyrists. Robert de Monte, *Chronica,* M.G.H., SS., Vol. VI, p. 516, tells us simply: "Multa mala faciebat." William of Newburgh, *Historia Anglicana,* III, 2, M.G.H., SS., Vol. XXVII, p. 234. "Maledictus furor eius, quia pertinax; et indignatio eius, quia dura." W. Barry, *The Papal Monarchy,* p. 264, has only complete condemnation of Frederick on the score of his cruelty: "The Othos had brought with them peace and prosperity; the Hohenstaufen rained from their German clouds an iron hail that laid the land waste. Neither on medieval nor on modern principles could they benefit a race to which they were inevitably opposed. Absentee lords, who maintained their power by predatory incursions, have been the ruin of Italy; and a Teutonic Hannibal — which is all that Frederick ever was in his five campaigns — had little right to judge the Pope or the Lombards severely, if they preferred independence to the Imperial Chains."

10. C. Stephenson, *Mediaeval History,* p. 399.

11. See note 7.

12. E. Hulme, *The Middle Ages,* p. 502.

Veneris."[13] Federick's chronicler seems to exaggerate his building and beautifying projects, although he did renovate the palace of Charlemagne. In imitation of his great predecessor he fostered learning at all times.[14] His own intelligence was quick and he enjoyed the conversation of learned men. With these qualities he possessed a tenacious memory and could assume a charming affability which was irresistible.[15] Frederick Barbarossa was in truth a German Emperor, "nor perhaps did any sovereign ever represent a more perfect type of the virtues and failings of Teutonic genius."[16]

From his love of the classics and the great German heroes — later from his contact with revived Roman Law — it resulted that Frederick's concept of sovereignty was partly Christian and partly Roman, and it is only by bearing in mind his qualifications of character that we can appreciate his attitude in matters of Church and State. Had Barbarossa been able to take up the task where his predecessors, Lothair and Conrad, had left off, his difficulties would have been slight; but more absolutistically minded than his predecessors, he had to make up the ground lost during their reigns and to overcome the increasing momentum of ecclesiastical power. As is usually the case, one can hardly expect to find in him a consistent policy in these matters and the situation for Frederick really resolved itself into one of expediency. Fundamentally Barbarossa, with true Christian instinct, understood the position of ecclesiastical and civil power, nor would anyone have embraced the Gelasian principle with greater alacrity than he. But in actual practice — pressed by difficulties, in the heat of passion, with personal gains at stake — he disregarded the theory completely. One need but peruse his letters, especially those written when his relations with the Papacy were not strained, to ascertain the nobility of his sentiments in this regard. His constant refrain is that the Empire is held by him through the election of the princes from God above, Who gave the world to be ruled by the two necessary swords, and taught through St. Peter that men

13. See note 7.
14. Cf. M.G.H., Leges, Vol. II, p. 114, for the privileges granted to students by Frederick.
15. See note 7.
16. U. Balzani, *The Popes and the Hohenstaufen, p.* 25.

should fear God and honor the King. In his letter to Pope Eugenius announcing his election he writes: "We intend to assume the royal character as set forth in our coronation oath; namely, to love and honor the Pope, to defend the holy Roman Church and all ecclesiastical persons, to maintain peace and order, and to protect the widows and the fatherless and all the people committed to our care. God has established two powers by which the world should be ruled, the Papacy and the Empire; therefore, we are prepared to obey the priests of Christ in order that, through our zeal, the word of God may prevail during our time and that no one may disobey with impunity the laws of the holy fathers or the decrees of the councils, and that the Church may enjoy her ancient honor and dignity and the Empire be restored to its former strength. And because we know that the mind of Your Holiness is rightfully perturbed at the death of the most serene prince (Conrad), we faithfully promise to you as to a most kind father that just as we succeed that same glorious King in the rule of the Kingdom, so we assume the hereditary love both for your person and for the most prompt and most devoted defense of our holy Mother, the Roman Church."[17]

Later, imbued with the grandeur and importance of his position, especially by the lawyers of Bologna, Frederick's policies underwent serious alteration. *"Er ist von der Hoheit seiner Stellung durchdrungen gewesen, wie kaum ein Kaiser vor ihm."*[18] And this was quite natural when sycophant jurists at the Diet of Roncaglia went so far as to make the Emperor's position on earth parallel to that of God's in Heaven.[19] From a tone of friendliness and almost subservience, Frederick changes to one of domination. In a response to the papal curia when he was informed that his legates were not to be received in the palaces of the bishops, he writes: *"Concedo, si forte aliquis episcoporum habet in suo proprio solo et non in nostro palatium."*[20] Frederick opened the way to serious controversy by asserting strict feudal tenure of epis-

17. *Constitutiones,* M. G. H., Leges, Vol. II, p. 90.
18. G. Wolfram, *Friedrich I und das Wormser Concordat,* p. 166.
19. Ragewin, *Gesta Friderici,* IV, 4., *loc. cit.,* p. 446.
20. *Constitutiones, loc. cit.,* p. 115; Ragewin, *Gesta Friderici,* IV, 30, *loc. cit.,* p. 462.

copal property beyond the confines of Germany. He continues that since by "divine ordination" he was Roman Emperor, he would but have the appearance of ruling if Rome were not within his control — *"si urbis Romae de manu nostra potestas fuerit excussa."*[21] At the Council of Pavia, convoked to settle the schism which had arisen at the death of Adrian IV, he clearly enough asserted the extreme his idea of the relation of Church and State had reached. With some concession to the clergy he states: "In my office and dignity of Emperor, I can convoke councils, especially in moments of grave peril for the Church, as did Constantine, Theodosius, Justinian, and in later times the Emperors Charlemagne and Otto."[22] Yet Frederick is not entirely to blame since precedent was in his favor and he considered the attempt of previous Popes to recover this right as a direct inroad upon acquired imperial rights.

One great endowment of Barbarossa's deserves special recognition. Although his dream of re-establishing the autocratic domination of a Justinian or a Charlemagne beyond the Alps was doomed to failure because he failed to grasp the trend of the times, Frederick did succeed in bringing about German unity. By clever and prudent moves he settled the perpetually warring factions which were rife in the Kingdom. With remarkable genius he seemed able to know just when force should be applied and when the culprit prince should be placated. All depended on the monarch's character, and one so vigorous and popular as Frederick could generally lead the majority with him and terrify the rest. The reign of Frederick Barbarossa marks the beginning of the growth of German national consciousness. His great natural gifts and his keen perception of the Germanic mentality made him an organizer of the first rank. Truly Barbarossa stands as one of the great and colorful figures of history.[23] Throughout the centuries he has held a fascination for the German people and his exploits

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21. *Ibid.*
22. *Ibid.*, IV, 64, *loc. cit.*, p. 479.
23. U. Peters, *Characteristik der inneren Kirchenpolitik Friedrich Barbarossas,* pp. 2, 3. "... wenn der Historiker die Reinheit und Kraft des Wollens, die freie Hingabe an die imperiale Idee waegen duerfte statt der Erfolge, er mueszte Friedrich einen Platz anweisen vor der Edelsten und Ersten aller Zeiten." And referring to Alexander III he adds: "... das Schicksal hat ihm einen groszen Gegner zugedacht

have been celebrated in poetry and song. About his personage they have woven their dreams of German greatness in heroic tales and fantastic legends.[24] To the southwest of Salzburg rises the gigantic mass of the Untersberg. "There, far up its limestone crags, in a spot scarcely accessible to human foot, the peasants of the valley point out to the traveler the black mouth of a cavern, and tell him that within Barbarossa lies amid his knights in an enchanted sleep,[25] waiting the hour when the ravens shall cease to hover round the peak, and the pear-trees blossom in the valley, to descend with his Crusaders and bring Germany the golden age of peace and strength and unity. Often in the evil days that followed the fall of Frederick's house, often when tyranny seemed unendurable and anarchy endless, men thought on that cavern, and sighed for the day when the long sleep of the just Emperor should be broken, and his shield be hung aloft again as of old in the camp's midst, a sign of help to the poor and the oppressed."[26]

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und seinem Kampfe dadurch einen heroischen Charakter verliehen." J. Bryce, *The Holy Roman Empire,* p. 173: "Frederick, the greatest of the Crusaders, is the noblest type of mediaeval character in many of its shadows, in all its lights."

24. Cf. J. L. Grimm, *Gedichte des Mittelalters auf Koenig Friedrich I, den Staufer;* W. Gundlach, *Barbarossalieder.*
25. The legend is one which appears under various forms in many countries.
26. J. Bryce, *op. cit.,* pp. 175, 176.

CHAPTER III

BARBAROSSA'S STRUGGLE WITH ADRIAN IV — MARRIAGE DIFFICULTIES

Barbarossa's relations with the Papacy began on very friendly terms. Nor is there any reason to doubt Frederick's sincerity when, in his letter to Eugenius III announcing his election, he promised to protect and defend the Church, to love and honor the Pope, and to see to it that no one disobeys ecclesiastical laws or the decrees of the councils with impunity.[1] Frederick clearly saw the important role the Papacy must play in the achievement of the goal he had set for himself. If he was to be supreme on the Tiber as well as on the Rhine and Danube, if he was to emulate the power of Charlemagne, the Papacy must of necessity be made into a faithful and powerful ally.[2] Eugenius probably experienced wavering premonitions as to the possible policies of Barbarossa, perhaps because of the speed with which the election had taken place making it impossible for the Pope to exercise any influence upon the choice of the monarch.[3] His reply, however, expressed only strong approval and a wish that Frederick fulfill the promises of his predecessor and uncle, Conrad III.[4]

But Eugenius was in grave need of help. The Romans were in rebellion against him; his vassal, Roger of Sicily, was at war with him; and the Greek Emperor was seeking possession of a part of the Italian mainland. Since Frederick's first ambition was to acquire the imperial crown, obtainable only from the Pope, he

1. *Constitutiones,* M.G.H., Leges, Vol. II, p. 90.
2. F. Mourret, *Histoire de l'Eglise,* Vol. IV, p. 391.
3. A. Hauck, *Kirchengeschichte Deutschlands,* Vol. IV, p. 196, adds: "Wibald of Corvey, who drew up his writings, must have recalled the caution which the notaries of Henry IV at one time employed when a letter had to be drawn up for Rome. He dares say no word concerning the confirmation or the recognition of the King, who, chosen and crowned King without papal cooperation, approached the Pope as King of the Romans by the grace of God." pp. 197, 198.
4. *Constitutiones, loc. cit.,* p. 91. Hauck observes that both letters, more by their silence than by their contents, gave indication of the future storm. *Op. cit.,* p. 198.

sought at the first opportunity to carry out the intentions of his election letter and espouse the papal cause. He completely ignored the high-toned letter of invitation from the rebellious Romans exhorting Frederick to come with his lawyers and with the Justinian Code, and proclaim that "the will of the prince has the force of law."[5] Instead, in 1153, Frederick and the Pope concluded a treaty, the treaty of Constance, "in which the papal diplomatic skill took advantage of Frederick's eagerness to possess the imperial crown."[6] In the treaty Frederick promised not to make peace with the papal enemies without the Pontiff's consent and to reduce the rebellious Romans into subjection to the Pope and the Church. Nor would he grant any land to the Emperor of the Greeks. The Pope, on the other hand, promised Frederick the imperial crown and assistance in maintaining and increasing the honor of his realm.[7] In this agreement, it will be observed, nothing is said about who owns Sicily and southern Italy, nor is it stipulated that the Pope shall not make terms with the Normans without the Emperor's consent[8] — a stipulation which Frederick seems to have assumed as therein contained. The limits of their respective sovereignties still remained wide and undefined.

Meanwhile Frederick was displaying his true genius in moulding the factions of Germany, and in this he was eminently successful. Only on one occasion did he come into conflict with the successor of Eugenius III, but the aged Anastasius IV soon acquiesced in Barbarossa's appointment of Wichmann to the archbishopric of Magdeburg.[9] The death of Anastasius, seventeen months after his election, found Frederick in Lombardy,[10] seeking to attain the

5. This letter was sent by a certain Wetzel, presumably a follower of Arnold of Brescia. Although he ignored it at present, we shall see that a few years later Frederick literally carried out the advice of Wetzel.
6. Thatcher and McNeal, *Europe in the Middle Age,* p. 223.
7. *Constitutiones, loc. cit.,* pp. 92 ff.
8. *Ibid.*
9. Eugenius had sent a letter of remonstrance, but death prevented further oposition. Anastasius was evidently misinformed or failed to grasp the significance of Frederick's action. See chapter V for a more detailed study.
10. Otto of Freising, *Gesta Friderici,* II, 13, M.G.H., SS., Vol. XX, pp. 396 ff.

realization of his fondest dreams and ambitions, the conquest of Italy.

Upon the election of Adrian IV, Frederick immediately sent a congratulatory letter to him little realizing that in the person of Nicholas Breakspear he was to meet a man of his own calibre. Adrian was born in England, served as monk and abbot in France for approximately twenty-five years and was brought to Rome by Eugenius III. He displayed great diplomatic skill as papal legate to the Scandinavian countries and upon his return was elected against his will (*invitum et renitentem*) as successor to Anastasius IV.[11] Adrian was endowed with an inflexible will, determined that at no cost would the papal prerogatives suffer prejudice at his hands. To this task he was well qualified by his eminent learning, integrity, and energy.[12] "He was shrewd, practical, and unyielding as Anglo-Saxon are wont to be . . . (his) nature was as firm and strong as the granite of his tomb."[13] With reluctance he accepted the great dignity for, it seems, he anticipated what he later confided to John of Salisbury: "Rightly do people speak of my crown and gold vestments as glittering, for they burn like fire. . . . The papal throne is a thorny seat; I am between the hammer and the anvil ever since I sat upon it."[14]

The first difficulty Adrian IV had to meet on his accession to

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11. Boso, *Vita Adriani IIII,* ap. Duchesne, *Liber Pontificalis,* Vol. II, p. 389.

12. "Laudabilis scientia, et vitae moribus et simul strenuus in gubernatione ecclesiae." *Gesta Episcoporum Islandicorum,* M.G.H., SS., Vol. XXIX, p. 414.

13. Gregorovius, *History of the City of Rome in the Middle Ages,* Vol. IV, ii, pp. 560, 562; John of Salisbury states that Adrian was accused by some of avarice and excessive zeal in gathering money, even of living in luxury, (perhaps the result of Arnold's influence). See *Polycraticus, sive De Nugis Curialium et Vestigiis Philosophorum,* IV, 24, ap. Migne, *P.L.,* Vol. 199, pp. 623 ff. Cardinal Boso, a contemporary and the author of his biography, is lavish in his praise of Adrian. "Erat enim vir valde benignus, mitis et patiens, in anglica et latina lingua peritus, in sermone facundus, in eloquentia politus, in cantilena precipuus et praedicator egregius; ad irascendum tardus, ad ignoscendum velox, ylaris dator, in elemosinis largus et in omni morum compositione preclarus." *Vita Adriana IIII, loc. cit.,* p. 389.

14. *Polycraticus,* VIII, 23, *loc. cit.,* p. 814.

the pontificate was a peremptory demand of the senate, prompted by Arnold of Brescia, that the Pope recognize the temporal authority of the Republic. With the sternness and inflexibility which characterized almost all of his actions, he hurled back at the deputation his defiance of their pretensions and promptly placed Rome under interdict.[15] The blow "smote their earthly as well as their spiritual interests,"[16] since the customary Holy Week pilgrimages would be impossible if the city lay under interdict. Adrian's terms before he would remove the interdict were absolute and exacting, and he gained all that he had demanded. His victory was complete; Arnold and his followers were expelled from the city. In this manner, almost immediately upon his accession, Adrian served notice to the world that no half measures would be tolerated by him in his defense of papal prerogatives.

With bated breath men awaited the arrival of Barbarossa. Ever since the autumn of 1154 the slow but irresistible advance of the mighty Emperor was noised about. In April, 1155, Frederick received the iron crown of Lombardy; some resistance had been made, but it was useless against the resolute will of the advancing potentate. Lombardy was at his feet and Tortona was the last city to fall after brave and stubborn resistance.[17] Milan, the chief city, however, refused to acknowledge Frederick and, when he found that it required him sixty days to reduce Tortona, he decided to leave off further activity in Lombardy and proceed to Rome. Adrian viewed Barbarossa's advance with apprehension and sought to fortify Viterbo, Orvieto, and Civita Castellana, though he knew this would be of little avail if the Emperor were really hostile. What possible demands Barbarossa entertained were a matter of conjecture, but Adrian was determined. He retired to Civita Castellana in case of another outbreak in the city while Barbarossa encamped with his powerful army at San Quirico. Both parties sent their embassies. The legates of the Emperor arrived and the Pope at once took the firm, bold stand consistent with

15. According to Boso, the cause which immediately determined Adrian to act was the fatal wounding of Cardinal Guido by the Roman insurgents. *Vita Adriani IV, loc. cit.*, p. 389.

16. A. Tarleton, *Nicholas Breakspear, Englishman and Pope*, p. 99.

17. Otto of Freising, *Gesta Friderici*, II, 13 ff., *loc. cit.*, pp. 396 ff.

his character, refusing to consider any proposals of the Emperor until he should have heard definitely the attitude of Frederick toward Arnold of Brescia and a declaration from him that no hostility was intended.[18] The cardinals sent by Adrian meanwhile learned that the Emperor considered Arnold an enemy to the imperial interests as well as to the papal authority and in no way countenanced either his acts nor those of the senate of Rome. Affairs began to augur well for unity of sentiment between Papacy and Empire. Frederick immediately sought to put words into action and dispatched a force to seize Arnold who was captured without difficulty and sent to Rome in chains, at the mercy of Adrian. Mystery enshrouds the execution of Arnold which took place almost immediately;[19] his death has been called "the seal of an alliance between the Papacy and the Empire."[20]

In the meantime Frederick had proceeded southward and was met by a deputation from the Roman Republic. This deputation assumed a haughty and overbearing air little suited to the man

18. "Nisi prius recepero fratres meos cardinales quos ad regem delegavi, nullum responsum dabo." Boso, *Vita Adriani IIII, loc. cit.,* p. 390.
19. Adrian IV has been severely censored for Arnold's death, but just what part he played in his execution or whether, perhaps, it was carried out even against his will, is almost impossible to determine. On three points most historians seem to agree, viz., that Arnold was hanged, his body burnt, and the ashes flung into the Tiber lest perhaps they be honored as relics by the fanatic Roman populace. Otto of Freising, *Gesta Friderici,* II, 20, *loc. cit.,* p. 404. G. Greenaway in his work, *Arnold of Brescia,* p. 160, calls Arnold "a sacrifice on the altar of political idealism, the dominant mediaeval concept of the relationship between *sacerdotium* and *regnum,*" and devotes his entire volume to a defense of the Brescian. It must be noted that Arnold was not condemned — and Greenaway seems to imply this — for desiring to reform the Church, nor for denouncing its corruptions, for he could not have done that more vigorously than Gerhoh of Reichersberg and Bernard of Clairvaux, but for sedition. Cf. Mann, *The Lives of the Popes in the Middle Ages,* Vol. IX, p. 259. Tarleton strongly condemns the affair as an execution "without trial." *Op. cit.,* p. 448. J. Mackie sensibly leaves the matter unsolved with the precaution that "a certain amount of mystery hangs over the fate of Arnold, and this has been greatly deepened by the endeavors made by several writers to use this summary execution as a proof of the villainy of the papal party." *Pope Adrian IV,* p. 45.
20. U. Balzani, *The Popes and the Hohenstaufen,* p. 34.

they had come to propitiate.[21] With lofty and arrogant speech they welcomed him in the name of the senate and people. They hailed him as their future liberator from the oppression and yoke of the Church, inferring that he would take the side of the people against the Pope. After recapitulating the ancient glory and grandeur of their city, they pointed out with rare insolence that it was a great condescension on their part to bestow the imperial crown on an Emperor who came from Suabia and was not a Roman by birth or nationality. *"Hospes eras, civem feci. Advena fuisti ex Transalpinis partibus, principem constitui. Quod meum iure fuit, hoc tibi dedi."*[22] Proceeding then to formulate their requirements they concluded by demanding his oath in confirmation — *"sacramentique interpositione propria manu confirmare."*[23]

The great Barbarossa seems to have contained his rage at first and began a calm, dignified reply. He quietly corrected their view of the history of Rome by relating the rise of Charlemagne and Otto and the transfer of the imperial power to them and their successors. Did they not by their valor capture the City and Italy from the Greeks and the Lombards? All these concessions of the Roman citizens flow simultaneously with accession to the rule of the Empire.[24] Then in ironic tones he exposed their utter helplessness. *"Implorasti misera felicem, debilis fortem, invalida validum, anxia securum."*[25] Amid the thunders of applause from his nobles he roared out at the frightened envoys the absurdity and arrogance of their demands, declaring that they demanded what rather they should petition, that their rights were none and their requests inane. In complete humiliation, amid the jeers and taunts of the Germans, the deputation retired to Rome.

This reply of the Emperor seemed to make the position of Adrian doubly sure, and Frederick, without doubt, was thoroughly sincere. Yet, it must be remembered that he had come to Italy with a purpose — to obtain the imperial crown without which his

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21. A vivid account of this meeting is given in the *Gesta Friderici* of Otto of Freising, II, 21, *loc. cit.*, pp. 404 ff.
22. *Ibid.*
23. *Ibid.*
24. *Ibid.*
25. *Ibid.*

hopes were impossible of attainment. While this in no way necessarily reflected on his sincerity, it must be admitted that it played its part in shaping his policy and procedure. Adrian, however, was cautious, and determined to extract a solemn oath from the Emperor that he would uphold the dignity of the papal office and not usurp any of its functions. In view of the assurances already given, Frederick rightly could have taken offense at these further demands, yet no record attests this and it seems he was too engrossed upon his one objective, the imperial crown. A few years later Frederick would hardly have conceded this much. Adrian was playing a sure, safe game, estimating with supreme sagacity the formidable power of the great Barbarossa and determined that his forthcoming interview with the Emperor would be without loss to papal prestige. The resolute will of Adrian was not merely dealing with the delicate situation created by the appearance of Frederick on the southern side of the Alps, but was "shaping the future policy of the Church for centuries to come."[26]

In compliance with his promise that upon the reception of Frederick's oath he would meet him and accompany him in state to Rome there to grant the imperial crown, Adrian set out to fulfill his word. Cardinal Boso, an eyewitness, gives the most accurate description of the meeting.[27]

> "... The pope, however, came to Nepi, and on the day after his arrival was met there by many of the German princes and a great concourse of clergy and laymen, and conducted with his bishops and cardinals to the tent of the king. But when the cardinals who came with the pope saw that the king did not come forward to act as the esquire of the pope (i.e., to hold his stirrup while he dismounted), they were greatly

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26. A. Tarleton, *op. cit.,* p. 113.

27. Boso, *Vita Adriani IIII. loc. cit.,* pp. 391, 392, translated by Thatcher and McNeal, *Source Book for Mediaeval History,* pp. 180, 181. Cardinal Boso's account probably has a slightly papal coloring. Otto of Freising is strangely silent concerning this event. Either the German chronicler did not care to record what appeared to be a papal victory, or, as is more likely, he was anxious to represent the relations between the temporal and spiritual powers as much more friendly than they actually were.

disturbed and terrified, and retreated to Civita Castellana, leaving the pope before the tent of the king. And the pope, distressed and uncertain what he should do, sadly dismounted and sat down on the seat which had been prepared for him. Then the king prostrated himself before the pope, kissing his feet and presenting himself for the kiss of peace. But the pope said: 'You have refused to pay me the due and accustomed honor which your predecessors, the orthodox emperors, have always paid to my predecessors, the Roman popes, out of reverence for the apostles, Peter and Paul; therefore I will not give you the kiss of peace until you have made satisfaction.' The king, however, replied that he was not under obligations to perform the service. The whole of the following day was spent in discussion of this point, the army in the meantime remaining there. And after the testimony of the older princes had been taken, especially of those who had been present at the meeting of king Lothar and pope Innocent (II), and the ancient practice had been determined, the princes and the royal court decided that the king ought to act as the esquire of the pope and hold his stirrup out of reverence for the apostles, Peter and Paul. On the next day the camp of the king was moved to the territory of Nepi, on the shore of lake Janula, and there king Frederick, in accordance with the decision of the princes, advanced to meet the pope, who was approaching by another way. And when the pope came within about a stone's throw from the emperor, the emperor dismounted and proceeded on foot to meet the pope, and there in the sight of his army he acted as the pope's esquire, holding his stirrup for him to dismount. Then the pope gave him the kiss of peace."

Historians have variously estimated this incident.[28] At first

28. F. Gregorovius, who seems incapable of understanding what the eyes of Faith can see in certain men, amuses himself with this scene. "Adrian pale, the Emperor, with an ironical smile, briskly removing the stirrup." *Op. cit.,* Vol. IV, ii, p. 432. A. Tarleton, *op. cit.,* p. 112, realizes the truth "that the Pope represented literally to the minds of all devout Christians our Blessed Lord Himself; and however great the earthly potentate, he lost none of his dignity in the eyes of the faithful by doing homage to the Holy Father." The *Sachsenspiegel*

this episode does appear extremely inconsequential, and it may be argued that Frederick had practically rendered all that could be expected of one in his position. Hence, the insistence on so exact a punctilio was uncalled-for. Yet Adrian had precedent in his favor and it must be kept in mind that he had resolved to cede nothing in honor or dignity lest perchance one concession offer an opening for further encroachments on the part of the Emperor. Doubtless Barbarossa would never have condescended to so menial a task had not his determination to be crowned by the Pope as the finishing touch of his triumphant progress through Italy intervened. Adrian showed his characteristic resoluteness by courageously facing the Emperor despite the desertion of his cardinals. And insignificant though this episode may appear to be, it was a crisis and, no matter what the verdict on Adrian's action may be Frederick failed to gain his point.

Once more on amicable terms Barbarossa and Adrian proceeded to Rome where, on June 18, the Emperor was crowned and blessed by the Pontiff. He took the solemn oath prescribed by ancient custom while soldiers and people burst into loud acclamations of joy.[29] The papal historian tells us that Frederick swore according to the established custom.[30] The formula to which Boso alludes is without doubt identical with that preserved for us by Cencius, and Frederick's oath was to this effect: *"In nomine Christi promitto, spondeo atque polliceor ego (Fridericus) imperator coram Deo et beato Petro, me protectorem ac defensorem esse huius sanctae Romanae ecclesiae in omnibus utilitatibus, in quantum divino fultus fuero adiutorio secundum scire meum et posse."*[31] A definite contractual relationship now existed between Adrian and Barbar-

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and *Schwabenspiegel,* mediaeval German law codifications, definitely lay down the regulation that the Emperor is to hold the pontifical stirrup. Thus speaks the former: "Deme pavese is och gesazt zu iidene zu bescheidenir zit uph eyneme blanken pherde unde die keyser sal ime den stegerip halden, durch daz die sadel nicht ne winde." M.G.H., *Fontes Juris,* Vol. I, p. 19.

29. Jaffe, *Regesta Pontificum Romanorum,* No. 10078, Vol. II, p. 111; Otto of Freising, *Gesta Friderici,* II, 22, *loc. cit.,* p. 406.

30. "... consuetam professionem ... secundum quod in Ordine continetur, publice exhibuit." *Vita Adriani IIII, loc. cit.,* p. 392.

31. Ap. Watterich, *Romanorum Pontificum Vitae,* Vol. II, pp. 328, 329.

ossa. But the obligations imposed remained vague and indefinite and, in consequence, it is impossible to point out with any degree of certitude any incident whereby Frederick violated his coronation oath. True, he pledged himself to be the protector and defender of the Church, but the phrase *secundum scire meum et posse* offers a large aperture for evasion. Yet the oath was by no means meaningless and in return for the promises made by the Emporer the Pontiff granted the imperial crown.

Meanwhile the Roman populace gathered at the Capitolium where they were lashed into fury by the discomfited envoys who felt they had been duped by Pope and Emperor. The infuriated mob rushed to the palace of Adrian and almost immediately overcame the German detachment stationed there. Barbarossa and his troops had retired to the Neronian fields to spend the day in celebration, but they soon heard of the disturbance. Frederick immediately set out to attack the Roman troops. Fighting lasted all through the hot summer day and far on into the evening, but finally Frederick succeeded in completely routing the desperate opponents.[32] Sooner than expected he had come to the rescue of the Pontiff, but his victory was not to be of long duration.[33]

Two causes operated to make it necessary for the Emperor to leave the city: difficulty of providing provisions and the effect of the summer heat upon his troops.[34] Adrian accompanied Frederick to Ponte Lugano where a deputation arrived from the citizens of Tivoli placing their city at the disposal of the Emperor and his troops. Here arose a point of supreme interest to Adrian. Tivoli was a town owing feudal duty and allegiance to the papal see and, as such, the city authorities had no right to treat with any foreign

32. Otto of Freising, *Gesta Friderici,* II, 22, *loc. cit.,* p. 407, speaks of only one German being killed and one being captured; but the truth is no doubt with Otto Morena: "Multi ab utraque parte in campo interfecti." *De Rebus Laudensibus,* M.G.H., SS., Vol. XVIII, p. 597. Confer the graphic account of this battle given by Vincent of Prague, *Annales,* who appears to have made careful inquiries about it. M.G.H., SS., Vol. XVII, p. 665.

33. Otto expresses his assurance that Frederick would compel the citizens of Rome to render obedience to the Pontiff had misfortune not overtaken his soldiers. *Gesta Friderici,* II, 23, *loc. cit.,* p. 407.

34. Boso adds "communis voluntas et instans petitio principum." *Vita Adriani IIII, loc. cit.,* p. 393.

sovereign except through the Pope. Frederick might have insisted on the ever thorny problem of temporal power. He had been crowned Emperor by the Pope; here was an opportunity to test his authority. But Frederick was true to his promises and refused to accept the honors the citizens sought to pay him. He wrote a letter which he gave to the envoys to take back, recommending that the people of Tivoli obey their lord and father, the Pontiff, in all things, though he did add the somewhat dubious phrase, "saving the imperial right."[35] Adrian publicly thanked the Emperor. Realizing that the situation in Rome was in no wise safe for Adrian, Frederick reluctantly — *dolens ac nolens* — moved camp.[36] "He was obliged to turn and, not without some painful self-reproach to abandon the Pope to his fate."[37] Nevertheless, more healthful climes had to be reached. At Tivoli he and Adrian separated, so far, at any rate, on terms of equal respect and mutual regard. Beyond question Frederick, except for the stirrup episode, had acquitted himself with all due deference to the Papacy and yet, in no manner derogatory to his own prestige. Adrian perhaps betrayed too great inflexibility, but, nevertheless, steadfastly upheld the papal

35. "Fredericus Dei gratia Romanorum imperator et semper augustus universis civibus Tyburtinis gratiam suam et bonam voluntatem. Universitatem vestram nosse volumus quod ob reverentiam beati Petri principis apostolorum dilectissimo atque in Christo reverendo patri nostro Adriano pape sic civitatem dimisimus Tyburtinam, salvo tantum per omnia iure imperiali. Huius rei gratia omnes et singulos cives Tyburtinos a fidelitate quam nuper nos iurastis absolvimus, attentius nobis precipiendo mandantes quatinus eidem venerabili patri Adriano pape fideliter assistatis, devote serviatis, atque sicut domino obedire studeatis; scientes, sicut iam dictum est, a iuramento fidelitatis quod nuper fecistis vos absolutos, salvo in omnibus iure imperali." *Ibid.*

36. Otto of Freising, *Gesta Friderici,* II, 23, *loc. cit.,* p. 407.

37. F. Gregorovius, *op. cit.,* IV, ii, p. 550. J. Mackie, *op. cit.,* p. 69, is somewhat harsh in his judgment of Frederick who at this time without doubt sincerely wished he could assist the Pontiff. He writes that "once secure in the possession of the imperial crown, he had not scrupled to abandon his ally, and had crossed the Alps without striking a blow against the Pope's enemies." E. F. Henderson, *A History of Germany in the Middle Ages,* p. 260, maintains that Adrian's attitude changed from one of friendliness to one of hostility when he discovered that the Emperor could no longer help him in Italy.

prerogatives. On this first meeting, at least, both sides successfully held their own and for a short time the temporal and spiritual authorities were on peaceful terms.

The southern part of Italy and Sicily had, since its Norman conquest, been constantly in open dispute with the See of Rome. "There the Normans, who had formed a strong monarchy, regarded with suspicion alike by the Emperors of the East and of the West as a threatened obstacle to their ambitious views, showed themselves friendly or hostile to the Popes according to political exegencies."[38] Obsequious, cunning and resolute of purpose, they had frequent misunderstandings with the Pontiffs and, being first-class soldiers, they usually achieved their objectives by force. The difference with the Papacy rested on the following grounds. The Popes always claimed the feudal sovereignty of the whole of south Italy on the supposition that they inherited it from the Emperors and so were entitled to the homage of its rulers. The Emperors of Germany also claimed the temporal rights over the whole peninsula, but seldom were able to insist on their claims. The Normans, who held the country by right of conquest, did their best to play off Pope against Emperor, nevertheless, on the whole were ready to agree with the former as the best geographical ally against any incursion, either from Germany, the eastern Empire, or the Saracens.[39]

William I succeeded his father, Roger II, on the throne of Sicily in 1154. Adrian refused to recognize William as King and ignored the offers of peace he made.[40] Hostilities soon followed. The Sicilians laid siege to Beneventum, a papal possession, without result, and afterwards ravaged the southern Campagna and retired. Adrian excommunicated William. After the departure of Frederick, Adrian collected his vassals and mercenaries and marched south to Beneventum where he remained until June, 1156. At first the fortunes of war favored Adrian, and William sought to make peace with the Pope. Adrian rejected the King's proffered

38. U. Balzani, *op. cit.*, p. 6.

39. Cf. T. Hodgkin, *Italy and Her Invaders* for an excellent detailed treatment.

40. Romuald of Salerno, *Chronicon,* ap. Muratori, *Rerum Italicarum Scriptores,* Vol. VII, p. 197.

terms. Then the dissolute William woke from his lethargy and retaliated with sudden success.[41] The capture of Brundisium practically determined the issue of war. Peace was made June, 1156, and a treaty concluded.[42] In the treaty of Beneventum the Pope agreed to invest William with the crowns of Sicily and Apulia, together with several minor territories and states. Strangely enough, by his skillful diplomacy Adrian succeeded in obtaining from William the feudal oath with a promise of yearly tribute and assistance in defending papal possessions. After this the Pope went to Orvieto where he came to an agreement with the Romans, and in the beginning of 1157 returned to the city.[43]

Barbarossa, after his return from the expedition to Rome, 1154-55, was much occupied by the internal affairs of his Empire which his southern campaign had caused him to neglect. He did, however, keep a sharp outlook on events in the south, in which he was assisted by the cardinals partisan to the imperial cause. It will be remembered that Frederick himself, in the last year of Eugenius III, had made an agreement with the Pontiff not to make terms with the King of Sicily without the consent of the Pontiff. Now Frederick regarded Adrian's move as a distinct breach of faith.[44] Although the agreement at Constance on that point bound Frederick only, it would seem that a sense of fair play should have prompted Adrian not to enter into such an agreement.[45] But, on the other hand, Adrian had gone South to oppose William and affairs worked out adversely for him. He had asked for the promised help[46] from Frederick who was then incapable of rendering as-

41. F. Chalandon, *Histoire de la Domination Normande,* Vol. II, p. 226.
42. Ap. Watterich, *op. cit.,* Vol. II, pp. 352 ff.
43. Here Bosco's detailed story of Adrian's life comes to an abrupt close. The few remaining paragraphs give a list of the improvements he made in the patrimony of St. Peter and the ordinations held. They close with a brief notice of his death.
44. "Molestissime tulit," says Romuald of Salerno, *Chronicon, loc. cit.,* p. 199.
45. Hergenroether-Kirsch, *op. cit.,* Vol. II, p. 450, calls attention to the fact that indirectly Frederick could rightly object because of the promise on the part of the Pope to "aid the King in maintaining and increasing the honor of his realm." Cf. summary of the Treaty of Constance *ut supra citatum.*
46. "... exulibus Apuliae ... conquerentibus, ... expeditio Italica tam pro

sistance, and Adrian, it must be admitted, was entitled to make the best terms he could for himself.[47] With this incident the friendly relations between Frederick and Adrian were suspended never again to be genuinely renewed.

Various edicts, insulting in their terms, calculated to open still further the breach between himself and the Pontiff. Still no comment was forthcoming from Adrian until Eskill, Archbishop of Lund, was seized by certain independent German knights on his return from Rome to Denmark. Adrian wrote a letter[48] to Frederick which proved to be the spark required to start the smouldering quarrel into life and earnest. Frederick refused to interfere in Eskill's behalf. This enraged the Pope who determined to send a special embassy of complaint to the Emperor and, at the same time, call his attention to other matters.

The year was already far advanced. Adrian sent his envoys to Frederick who at the time was holding a meeting at Besancon to confirm his title of King of Burgundy.[49] The legates arrived, presented their credentials and were received with due courtesy and honor for a private audience.[50] Cardinal Roland, later Alexander III, was the spokesman. Adrian's letter reproved Frederick in severe terms for his neglect to punish those of his subjects who had laid hands on the Archbishop of Lund. Then, reminding him of his own sincere affection, Adrian proceeded:

> "You should remember, most glorious son, how graciously your mother, the holy Roman Church, received you last year, how kindly she treated you, and how gladly she conferred upon you the imperial crown, the highest mark of dignity

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afflictione horum quam pro corona imperii accipienda ... jurata est." Otto of Freising, *Gesta Friderici,* II, 7, *loc. cit.,* p. 393.

47. A. Tarleton, *op. cit.,* p. 205. Gerhoh of Reichersberg, *Opusculum ad Cardinales,* M.G.H., LL., Vol. III, p. 405, appreciates Adrian's position and concedes that he had little chance to act differently: "... sub cujus gladio tunc erant, et fortasse aliter exire non poterant."
48. Ep. 143, ap. Migne, *P.L.,* Vol. 188, pp. 1525 ff.
49. Frederick had entered into marriage with the beautiful Beatrice of Burgundy. Cf. further discussion *infra.*
50. Ragewin, *Gesta Friderici,* III, 8, *loc. cit.,* p. 420. "Causa vero adventus eorum speciem sinceritatis videbatur habere, sed fermentum et occasionem malorum intus latuisse, postmodum evidenter deprehensum est." Ragewin gives expression to his imperial leanings.

> and honor; how she has always fostered you on her kindly bosom, and has always striven to do only what would be pleasing and advantageous to you. We do not regret having granted the desires of your heart; nay, we would be glad to confer even greater benefits (*beneficia*) upon you, if that were possible, because of the advantage and profit you would be able to confer upon the Church of God and upon us."[51]

At the word *beneficia* the storm broke. To Frederick and the feudal nobles present the word had but one meaning — the Empire was a papal fief. Frederick immediately recalled the fresco in the Lateran palace depicting Lothair kneeling at the Pope's feet.[52] When the first wave of opposition had somewhat subsided, the legate Roland is said (*dixisse fuerunt*) to have rather undiplomatically added the words: "And of whom then does he hold his Empire, except it be of our Lord, the Pope?"[53] He would have been cut down by the sword of a noble had not Frederick himself personally intervened. To Barbarossa's credit it must be said that he had his temper more under control than the rest of his court, although he was hardly less incensed at the latter.[54] With the legates he dealt summarily. They were given prompt orders to return to Rome without stopping anywhere on the way. It also appears that Frederick forbade any of his subjects to go to that city.[55] He then issued a manifesto to the Empire in which he described the insult he had received from the Pope and stated that the blank forms found on the persons of the legates were intended to be used to "spread this venom" throughout the churches of Germany and to despoil them of their property.[56] Dramatically he states how the papal envoys "as if inflated with the mammon of unrighteousness, out of the height of their pride, from the sum-

51. *Ibid.*, III, 9.
52. *Ibid.*, III, 10.
53. *Ibid.*
54. A. Tarleton makes the unwarranted assumption that Frederick understood the meaning of the disputed word throughout, but rather "resented those portions of the epistle conveying rebuke and the Pope's displeasure." *Op. cit.*, p. 214.
55. Ep. 148, ap. Migne, *P.L.*, Vol. 188; Ragewin, *Gesta Friderici*, III, 16, *loc. cit.*, p. 426.
56. Ragewin, *Gesta Friderici*, III, 10, *loc. cit.*, p. 422.

mit of their arrogance, in the execrable elation of their swelling hearts, did present to us a message in the form of an apostolic letter, the tenor of which was that we should always keep it before our mind's eye how the lord Pope had conferred upon us the distinction of the imperial crown, and that he would not regret it if Our Highness were to receive from him even greater benefices."[57] In the proclamation the Emperor plainly stated that "whoever says that we hold the imperial crown as a benefice from the Pope resists the divine institution, contradicts the teaching of Peter, and is a liar."[58]

When Adrian heard of the effect of his letter he immediately sent another to the bishops of Germany in which he continued to upbraid Frederick for the treatment his legates had received but made no explanation of the word *beneficia.* The German bishops found it difficult to please two masters and in answer to the Pope placed the responsibility of what had taken place on Adrian.[59] They spoke of papal encroachments, of Frederick's displeasure at the picture in the Lateran, and added that the Emperor was preparing a campaign into Italy in the summer. The Pope accordingly should be as conciliatory as possible so that the Church might continue in peace and the Empire preserve its dignity.[60] Adrian now determined to send an embassy to Frederick with a letter containing an explanation of the word *beneficia.* He had meant the word to be taken in its etymological sense of "good deed" and not to bear the feudal interpretation which his nobles had applied to it.[61] Frederick professed himself satisfied with the explanation,

57. *Ibid.*

58. *Ibid.*

59. Though they had the honesty to commence their reply to the Pope by acknowledging that they were very weak and timid — "nos tamen infirmiores et pusillanimes" — yet they, too, believed that Adrian's letter was really ambiguous and that "saving thy grace, most holy Father, on account of the sinister interpretation which its ambiguity permits, we do not dare nor are we able to defend or to approve its language." *Ibid.,* III, 16, *loc. cit.,* p. 426.

60. *Ibid.,* p. 427.

61. *Ibid.,* III, 22, *loc. cit.,* p. 430. The venerable episcopal historian, Otto of Freising, was given the letter to read. Mann, *op. cit.,* Vol. IX, p. 293, observes: "If it had fallen to the lot of this man ('who was deeply grieved at the quarrel between the Church and the Em-

requested a settlement of one or two minor points, and sent the legates back with handsome presents for themselves and the Pope.

So ended the great quarrel which took place at the Diet of Besancon. The incident is peculiarly difficult to judge and historians express completely divergent views as to whether the cause of the quarrel lay on the side of the Empire or the Papacy. Was Adrian guilty of equivocation in the use of the word *beneficium*, attempting surreptitiously to assume a species of feudal lordship over the Empire, but, fearing the dissension caused and the forthcoming expedition of the Emperor,[62] suddenly employed a bit of subtle diplomacy to escape the difficulty?[63] The facts seem to argue to this conclusion. The Pontiff did not attempt an immediate explanation, and his legates, who, one presumes, understood the message of their delegation, certainly leave the impression of feudal overlordship, that is, if credence can be given to the statement of Ragewin. On the other hand, did Frederick understand the true import of *beneficium* all along and merely use the occasion to publicly denounce Adrian because of the antagonism he felt

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pire') to interpret Hadrian's previous letter, history would not have known any Besancon incident."

62. *Ibid.*, III, 17, *loc. cit.*, p. 427. Ragewin offers this as the motive for Adrian's explanation of the disputed term. W. Barry, *The Papal Monarchy*, p. 265, follows Ragewin: "...but the Pope softened his Latin *benefice* to *benefit* for Barbarossa was hurling upon Italy a host from all his dominions." Adrian himself, however, says that he acted in this matter "at the instigation of our beloved son, Henry, Duke of Bavaria and Saxony." Ragewin, *ibid.*, III, 22, *loc. cit.*, p. 430.

63. R. W. and A. J. Carlyle, *A History of Mediaeval Political Theory in the West*, Vol. IV, pp. 393, 394, defends Adrian against the charge of some that he aimed at complete superiority of the spiritual over the temporal power. "If we are to think that Hadrian IV meant to assert this, it would no doubt be significant of the papal policy; but it must be remembered that Hadrian explicitly withdrew such a claim or rather emphatically repudiated such a construction of his words. And, in any case, a claim to feudal superiority would have been a totally different thing from a claim to the intrinsic supremacy of the Spiritual over the Temporal power." E. F. Henderson, *A Short History of Germany*, Vol. I, p. 83. "The Pope was fain in the end to explain away his objectionable utterance by means of a convenient sophistry."

toward him since his alliance with Sicily?[64] Again, Reinald, von Dassel, Frederick's chancellor, may have translated the word thus with a view to stir up opposition. Beyond question Frederick made a serious mistake in allowing the plundering of Cardinal Eskill to go unpunished.[65] Besides, the letters purported to have been found on the persons of the legates are subject to serious questioning and may have been an invention of his own. In appearance the diet had turned upon the rendering of a Latin word, but in reality the root of the matter lay very deep.[66] The strife was not one of words, but of principles, and since this was so, the peace which ensued after the reconciliation, far from being final, was but a breathing space in which both combatants prepared for the greater struggle that was to follow. In point of fact, the views of Adrian and Frederick as to the relations of Empire and Papacy were now utterly incompatible. The strife which centers around the Diet of Besancon was but a phase, and a somewhat inglorious phase, of the continuous conflict between the two powers whose rivalry sums up the history of the Middle Ages in Europe. Even if, as the Pope asserted, the doubtful words were meant to convey no idea of the feudal supremacy of the Church — and Adrian's character and subsequent action would seem proof sufficient against any cowardly and cringing action because of Frederick's threatening arrival in Italy — the very fact of the Emperor's suspicion that they did involve some such claim, is in itself sufficient proof of the strained relations which existed between the lord of the temporal world and the head of the Catholic Faith.

At this point it may be well to make a digression regarding Frederick's marital difficulties — a point to which reference is again made in this study. In the year, 1153, Barbarossa put away his first wife, Adelheide, the daughter of the Margrave of Vohburgh, apparently under circumstances which made his action by no

64. A. Tarleton, *op. cit.*, p. 214.

65. H. Mann, *op. cit.*, Vol. IX, p. 289, lays emphasis on the fact that Frederick in his manifesto made no reference to the principal object of the legates, viz., to protest against the ill-treament of Cardinal Eskill.

66. J. Mackie, *op. cit.*, pp. 88 ff.

means creditable. Otto of Freising gives but the briefest reference to the divorce in mentioning the negotiations into which Frederick had entered with a view to procuring a Byzantine bride. He merely states that the marriage was annulled by the Pope's legates on the ground of consanguinity.[67] Another authority emphasizes the fact that consanguinity was a mere pretext.[68] The Belgian chronicle gives a somewhat different account. It asserts that the divorce, which was quite unjust, took place with the consent of the archbishops and bishops of Germany, and adds that the Emperor thereby prepared misfortune for himself, and that he afterwards married a girl of great beauty, the daughter of a certain Duke of Burgundy.[69] It is also stated that Pope Adrian IV and his chancellor so angered Frederick by the stern denunciations which they passed upon him on account of his treatment of his first wife,[70] that an edict was published forbidding any Roman cardinal to enter his realm.[71]

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67. Otto of Freising, *Gesta Friderici,* II, 11, *loc. cit.,* p. 395. "... ob vinculum consanguinitatis separatus fuerat."

68. *Annales Argentinenses,* ap. Watterich, *op. cit.,* Vol. II, p. 356. "Idem etiam legati filiam marchionis de Froburch (Vohburg), Adelam nomine, ob vinculum consanguinitatis *ut dicebatur,* novo regi uxorem pridem vinctam, seperaverunt." Otto of St. Blasius justifies Frederick's action upon the ground of Adelheide's fornication, but he apparently places the divorce under the year 1156 and on the whole shows himself untrustworthy. *Continuatio Sanblasiana,* 10, M.G.H., SS., Vol. XX, p. 307.

69. The beauty and accomplishments of Beatrice are greatly praised by the chroniclers (Morena, etc.) and extolled by the poets of the time:

> "Que Venerem forma superabat, mente Minervam
> Junonemque opibus. Numquam fuit altera talis,
> Excepta domini J'hesu genetrice Maria."
>
> *Gesta di Fed.* V. IIII ff.

70. Watterich questions whether any direct denunciations were made to Frederick. "Non satis liquet, num Hadrianus et Rolandus in Vesontionensi demum curiae imperatorem reprehenderint. Sed utut se res ea habeat, Adriani vituperatio etiam in archiepiscopus (sic) Teutonicos cecidit, qui divortio consenserant." *Op. cit.,* Vol. II, p. 356.

71. Sigebert, *Continuatio Aquicinctina,* M.G.H., SS., Vol. VI, p. 407. "Fridericus imperator a papa Adriano et Rollando cancellario pro uxoris sue prime divortio vehementer arguitur. Quod ille egre ferens, cardinalibus Romanis introitum civitatum et ecclesiarum regni sui interdixit."

To such a version of the affair, however, obvious objections can be raised; the fact that the chronicler styles Beatrice *"filiam cuiusdam ducis,"* shows his complete ignorance of the lady's exalted position. Again, it is not easy to see why and when the Pope chose to interfere, for at the time when the divorce took place Adrian was not yet elected to St. Peter's chair, but was in all probability still absent in Scandinavia. At the same time, the slight reference to Frederick's second union on the part of Otto of Freising seems proof that he, too, regarded his master's action as not altogether upright. It is to be remembered that later authorities have made this the ground upon which the Pope, had not death intervened, was about to hurl the anathema upon Barbarossa.[72] Furthermore, the *Annales Sancti Disibodi* states that this quarrel was ultimately the cause of the great schism between the Empire and the Papacy, but its reliability immediately becomes questionable when it ascribes the name, Agnes, to the princess.[73]

Since Adelheide (Adelaide) was put away in 1153, it is at first sight strange that no mention of the Pope's displeasure should occur in Boso's biography which deals very thoroughly with the first eighteen months of Adrian's pontificate and, being partisan to the papal cause, naturally would seize upon this savory bit of scandal. It is, however, possible that the new Pontiff felt unable to take action against the King for a deed which had been permitted, if not approved, by his predecessors in the Holy See, but that he used the opportunity which the Burgundian alliance afforded him to attack Frederick, not for his divorce, but for his marriage after such a doubtful separation. If, then, we assume that the marriage with Beatrice is made the cause of the breach between the Empire and the Papacy,[74] there can be no doubt that

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72. *Annales Sancti Disibodi,* M.G.H., SS., Vol. XVII, p. 29. "Mense Octobri obiit Adrianus papa post Petrum 160, qui imperatorem pro coniugii discidio excommunicare disposuerat, sed mense Octobri morte praeventus est."

73. *Ibid.* "Hoc ipso anno (1156) Fridericus imperator Agnetem, principis Burgundiae filiam, uxorem duxit, repudiata priore legittima uxore apud Constantiam; unde in ecclesia gravissimum exortum est scisma."

74. According to the *Annales Sancti Disibodi.*

there would be a bitter quarrel between the Emperor and the Pope, and that it would arise not on account of the previous divorce, but upon the occasion of Frederick's second marriage after that divorce. A consideration of the date of the ceremony will lend support to this belief. The Emperor married the heiress of Burgundy in the June of 1156,[75] that is, precisely at the time when Adrian was engaged upon the completion of his treaty with the Sicilian King. A possible explanation of the whole affair is that when Frederick denounced what he considered the base treachery of the Pope, the latter replied by a condemnation of the Burgundian alliance. This would account for the strained relations between Empire and Papacy which, it seems, had existed before the assault on Archbishop Eskill and the Diet of Besancon.[76] Again, it is possible that Adrian objected merely because he sought to restrict Barbarossa's power as much as possible, but in view of his character it would be hard to show that he would resort to such a base political expedient. Mann concludes in this fashion and is probably closest to the truth: "Up to the time of his marriage with Beatrice, it might have been supposed that he was content with a mere separation from Adelaide, but after that it was obvious that he had reputed his marriage with her altogether. At this point Hadrian took up the matter; but it would seem that a little inquiry must have proved that the marriage was in order; for no mention of it occurs in any of the incriminating letters which, as we shall soon see, Hadrian addressed to the Emperor, or in any official document of the period which has come down to us."[77] Likewise, had this still been an unsettled issue, Alexander certainly would have seized upon this as one of his many grievances against the Hohenstaufen. Yet, neither in his many letters is any reference made to any marital disorders in Frederick's life.

This now was the state of affairs which confronted Frederick. He had concluded his marriage with Beatrice, the rich heiress of Reinaldo, Duke of Burgundy, and by so doing had added the vast

75. Otto of Freising, *Gesta Friderici,* II, 29, *loc. cit.,* p. 412, gives June, 1156.
76. J. Mackie, *op. cit.,* p. 77, offers this solution.
77. *Op. cit.,* Vol. IX, p. 284.

domains of her inheritance to his already large Empire. He was reconciled with the hereditary enemy of his house, Henry the Lion, and the devastating internal wars between Welf and Waiblingen had ceased. He was demonstrating his true genius and entire Germany was at peace. But beyond the Alps conditions were different. Lombardy was restless and rebellious, still smarting from the humiliations it had received at Barbarossa's hands. Slowly it began to perceive the advantages that a league between the republics would bring against a common powerful foe. The Pope was doubtfully reconciled, and William, King of Sicily, was as powerful as his father had been before him. Once more, Europe anxiously awaited the outcome of Frederick's second Italian expedition.

One of the great intellectual forces of the twelfth century which comes into prominence at this period was the revival of Roman Law. The study of Roman Law had never quite died out in Italy. The rebirth of the Roman Empire under Charlemagne and the Ottos, the growth of secular states throughout Europe, the increase of independent municipal governments, and especially the foundation of the great law school of Bologna to which Barbarossa issued a special charter,[78] all these elements were contributory to the increased interest. Just prior to the revival of Roman Law began the rise of Canon Law, and it is noteworthy that the same age that witnessed the work of Irnerius saw the publication of the *Decretum* of Gratian. Early in the twelfth century the fame of Irnerius led to the foundation of the great school of law at Bologna, and the school of law soon gained preeminence over its already flourishing schools of dialectics and literature. Both papal and imperial powers fostered the school. Irnerius first was in the service of the Countess Matilda and at her request lectured on the laws of Justinian, particularly the Pandects. Later he entered the service of Henry V. When, however, Irnerius cast his support in favor of the antipope, Gregory VIII, in 1118,[79] the new school of civil lawyers became frankly imperialistic, looking upon

78. *Constitutiones, loc. cit.*, p. 114. Frederick's charter contained further privileges for students, but these probably were not restricted to Bolognese scholars alone.

79. Landulph, *Historia Mediolanensis,* XXXII, ap. Muratori, *op. cit.*, Vol. V, p. 502.

the law as furnishing an armory of texts from which the divine rights and universal claims of the Roman Emperor could be deduced.[80] As the difficulties between Empire and Papacy became more acute, the interest in both Civil and Canon Law grew.[81] Frederick quickly perceived an invaluable ally in the legal learning of his day and once more his memories of Roman greatness, of the prominent position of the Byzantine Emperors, of the Empire of Charlemagne, assumed a more tangible form. In a very short space of time "Barbarossa spoke of his power in the language of the Roman Emperor."[82]

With a powerful army Frederick proceeded southward, his first objective being to humble the Lombard cities and, once and for all, definitely establish his supremacy over them. Most of the town and villages surrendered before his advance. Resistance at Milan was overcome within a month and immediately the conqueror made his terms. After this stern display of power Frederick descended to the plains of Roncaglia and again relations between Emperor and Pope were put to the test. The open rupture soon came. Upon his arrival at Roncaglia, whither a vast concourse of bishops, prelates, princes, and nobles, besides the papal legate, had gathered, Frederick desired to proclaim by what laws the people of Lombardy should be governed. He called in the learned doctors of Bologna to consider the question and make a report to him.[83] They drew up a long list of laws, among which were the following: all monopolies, mines, customs, taxes, and other dues fell under the head of "regalia" and were due to the Emperor; homage was also due to him from all the bishops and nobles;

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80. H. Rashdall, *The Universities of Europe in the Middle Ages,* Vol. I, pp. 116 ff.

81. It is interesting to note that Cardinal Roland, later Alexander III, was a professor at Bologna. There he acquired a great reputation as a canonist which was increased by the publication of his commentary on Gratian, popularly known as the *Summa Magistri Rolandi.* (Ed. Thaner, Innsbruck, 1874).

82. P. Vinogradoff, *Collected Papers,* Vol. II, (Jurisprudence), p. 461.

83. Confer Ragewin, *Gesta Friderici,* IV, 1 - 8, *loc. cit.,* pp. 444 ff., for a detailed account of the excessive rights ascribed to the Emperor. See explanation of the *regalia* as given in M.G.H., Leges, Vol. II, pp. 111 ff.; also the account of Godfrey of Viterbo, *Gesta Friderici,* n. 18, M.G.H., SS., Vol. XXII, p. 316.

forage was to be supplied free to his troops. Besides other similar imperious decrees, Frederick forbade private wars between the cities and, in the interest of strong government, decided to place in each city *podestas* or magistrates exercising both judicial and executive functions in his name.[84] All that the most servile jurists of Rome had ever ascribed to their despotic princes was now directly attributed to Barbarossa. He was "lord of the world," absolute master of the lives and property of his subjects, the sole fountain of legislation, the embodiment of right and justice. These doctrines, which the great Bolognese jurists, Bulgarus, Martinus, Hugolinus and others who constantly surrounded Frederick taught and applied, as a matter of course, to a feudal king, were accepted in fervent faith by Frederick's German and Italian partisans. To Frederick, at Roncaglia, the Archbishop of Milan speaks for the assembled magnates of Lombardy: "Do and ordain whatsoever thou wilt, thy will is law; as it is written, '*Quod principi placuit, legis habet vigorem,*[85] *cum populus ei, et in eum omne suum imperium et potestatem concesserit.*'" [86] The Hohenstaufen himself was not slow to accept these magnificent ascriptions of dignity and was doubtlessly roused by them to a more vehement assertion of a prerogative so hallowed by age and by what seemed a divine ordinance.[87] The Diet of Roncaglia proved to be the Empire's "most decisive but also its last triumph."[88]

84. Cf. Carlyle, *op. cit.,* Vol. II, pp. 67 ff., for the extreme opinions of certain jurists regarding the Emperor's rights. The rights of the *regalia* were perhaps not so excessive in themselves. They were, as Butler remarks, "only the most ordinary prerogatives of government, and were, if anything, inferior to those possessed by the English kings, and by the kings of France within the royal domain." *The Lombard Communes,* p. 110. The theoretic powers and principles underlying were excessive and servile to the extreme.
85. *Institut. Justin.* Lib. I, ii, 6.
86. Ragewin, *Gesta Friderici,* IV, 4, *loc. cit.,* p. 446. The speech of the archbishop takes on a ridiculous aspect when he addresses words such as these to Frederick: "Tu nimirum es, o clarissime princeps et singularis Orbis et Urbis inperator, qui licentiam primo homini indultam iamque diu abrogatum rursus in usum ac in verae sententiae consuetudinem revocasti, ubi dictum est: Crescite et multiplicamini, et dominamini piscibus maris et volatilibus coeli."
87. J. Bryce, *op. cit.,* p. 168.
88. F. Gregorovius, *op. cit.,* Vol. IV, ii. p. 555.

Meanwhile Frederick sent a letter to Rome with the Bishop of Vercelli to obtain the confirmation of his appointment of Guido of Blandrada as Archbishop of Ravenna. The Emperor was anxious to have Guido because the young man had great influence with the Lombard cities. In the letter Frederick violated the diplomatic etiquette of the day by placing his own name before that of the Pope in the address of the letter.[89] Adrian returned a diplomatic refusal to Frederick's request.[90] A second letter of the Emperor's, pressing the Pope to grant the point, provoked one of Adrian's characteristic missives, severe though moderate, complaining of the want of respect shown to the papal legate, of the insolence of the imperial troops, of the pillage of papal castles. It drew the Emperor's attention to the fact that he had broken the treaty of Worms made by his predecessor and violated his coronation oath. The letter also forbade the Emperor to proceed with the settlement of a dispute between the churches of Brescia and Bergamo which he had taken into his own hands.[91] It is said that this letter was sent by a ragged messenger who put it in the Emperor's hands and then ran away.[92] In the meantime Frederick discovered that it was one thing to issue demands and another to enforce them. The Lombard cities were restless and although Frederick continued operations with a strong hand, they refused to be completely dominated.[93] It seems that it was at this time that Adrian, probably aware of a secret treaty already framed be-

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89. "Fridericus Dei gratia Romanorum imperator, et semper Augustus Adriano R. E. venerabili pontifici." Ep. ap. Migne, *P.L.,* Vol. 188, p. 1642.

90. Adrian wished to retain Guido in his service for the very same reason that Frederick wanted to have the young man.

91. This letter has not reached us and its contents must be gathered from the letter of Eberhard of Bamberg to Cardinal Henry. Ap. Ragewin, *Gesta Friderici,* IV, 19, *loc. cit.,* p. 456.

92. *Ibid.* "There seems to be some exaggeration with regard to the bearer of the missive. It would hardly seem in harmony with the prudent, diplomatic character of Adrian to prejudice any case by an insolent delivery of a letter." H. Mann, *op. cit.,* Vol. IX, p. 301.

93. "Contra novas institutiones imperatoris murmurare coeperunt Lombardi." *Urspergensium Chronicon,* p. 30, ed. Pertz.

tween Brescia, Crema, and Milan, decided to throw his lot with the Lombard cities.[94]

Barbarossa was furious, as his chronicler says, principally at the manner in which Adrian's last missive was delivered to him. This he regarded as a personal insult and showed his rage by addressing his next letter to Adrian in the singular instead of the plural. Adrian now began to show forth his true greatness and in the face of the victorious Barbarossa determined to stand his ground unflinchingly. He at once wrote the Emperor a dignified but extremely severe letter in which he reproved him for his want of reverence and reminded him of the fealty he had sworn to St. Peter.[95] Flushed with his victories and angered at the new insurrection in Milan, which he ascribed entirely to the machinations of the Pope, Frederick wrote another letter couched in most arrogant terms. He informs the Pontiff that whatever is held by the Papacy is held only through the largess of the princes. Hence, by law and by antiquity does he place his name before that of the Pontiff — *"iure et antique nomen nostrum vestro preponimus."* The Roman cardinals are no longer preachers, but plunderers, no longer administrators of peace, but rapacious seekers after money; they no longer build up the world, but rather tear down through their insatiable desire for wealth.[96]

Adrian now decided on a last resort. Resolved that under no condition would Frederick assume complete lordship over the papal patrimony,[97] he, with the consent of the German party in his

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94. Ragewin, *Gesta Friderici,* IV, 18, *loc. cit.,* p. 455. "Ut quaedam litterae deprehensae *dicerentur,* a sede apostolica directae, quae Mediolanenses et quasdam alias civitates rursus ad defectionem hortarentur." Eberhard writes these words to Cardinal Henry as a rumored indictment against Adrian. It is easily possible that there may have been some basis for the rumor.

95. See letter in Sigebert, *Continuatio Aquicinctina, loc. cit.,* p. 408. Adrian also showed his resentment to Frederick's form of address: "In letteris enim ad nos missis nomen tuum nostro preponis; in quo insolentie, ne dicam arrogantie, notam incurris."

96. *Ibid.*

97. It seems Frederick now assumed the position of ruler instead of protector over the possessions of St. Peter. *Gestorum Abbatum Trudonensium Continuatio Secunda,* III, 7, M.G.H., SS., Vol. X, p. 347: "...quasdam beati Petri possessiones sine iudicio et ra-

conclave, determined to send an embassy of four cardinals[98] to the Emperor with terms which he himself drew up. These amounted to an ultimatum and were such as Frederick could not possibly accept without a complete and final surrender of all his claims and pretensions. Such a surrender would inevitably undermine, if not destroy, his power and influence in Italy. There is no question as to Adrian's meaning; no longer is there a quibbling correspondence as to the significance of words or phrases, but there is put forward the final issue of war and spiritual disgrace on the one hand, and peace on conditions involving absolute surrender on the other. The proposals were five in number:

> 1) The Emperor was to send no officers to represent him in the papal city without the permission of the Pope. All monopolies and royalties belonged to the papal see.
> 2) No levies of any sort for forage or otherwise were to be made by the Emperor on the papal domains, saving only on the occasion of the coronation of successive Emperors; the imperial armies therefore were prohibited from entering the Roman domains.
> 3) The bishops and clergy in Italy might swear allegiance to the Emperor, but were not to do homage to him.
> 4) The custom of lodging the imperial envoys in episcopal palaces was not obligatory upon any bishop.
> 5) The whole of the domains of the Countess Matilda were to be taken from Guelf VIII together with the duchy of Spoleto, the islands of Sardinia and Corsica, the territory from Aquapendente to Rome; the revenues of Tivoli, Ferrara, Massa and Fiscaglia were to be handed over to Rome, while the Emperor was to do homage for all his possessions in Italy.[99]

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tione occupasse." Alexander III in his letter to Arnulf of Lisieux (April 1160) writes: "... patrimonium beati Petri violenter invasit." Ap. Watterich, *op. cit.*, Vol. II, p. 491.

98. Ragewin mentions four, but actually names only two, Octavian and William. His account here is confusing; he cites several letters some of which appear in no way relevant to the situation.

99. Unfortunately the exact words of Adrian are not available, but a letter of Eberhard, Bishop of Bamberg, to Eberhard, Archbishop of Salzburg, gives the demands made by the Pontiff. Ragewin,

The Emperor at first absolutely refused to listen, but, upon the advice of his nobles, answered that to certain points he would reply at once and upon the others he would take counsel. He complained that the Treaty of Constance had not been kept by the Pope. He agreed to waive the homage of the bishops if they would restore to the Empire the fiefs they held of him in Italy and if they declined to obey the Pope in matters involving disobedience to the Emperor.[100] "As to the city of Rome," he replied, "by the grace of God I am Emperor of Rome," and he refused to admit the Pope's power in temporal matters in the city.[101]

But Adrian refused anything short of a complete acceptance of his terms. Once more he replied reminding the Emperor of his agreement with Eugenius III. To this last demand Frederick replied that he was exonerated from the treaty with Eugenius by Adrian's own act in concluding peace with the King of Sicily in 1156.[102] Once more he persisted in pressing for a council of arbitration and sought a compromise, but Adrian's legates refused any terms without first having consulted with the Pontiff.[103] Adrian communicated no more with Frederick. Convinced that by his arbitrary dealing with the cities which opposed him, by his utter disregard of papal rights over the inheritance of Matilda, and by his alliance with the rebellious Romans, Barbarossa's lust for power would stop at nothing, Adrian decided to join the insurgent arms of northern Italy. He received the Lombard ambassadors begging

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Gesta Friderici, IV, 30, *loc. cit.,* pp. 461, 462. See Baronius, *Annales,* Vol. XIX, sub anno 1159.

100. *Ibid.* p. 462.

101. Ragewin, *Gesta Friderici,* IV, 30, *loc. cit.,* p. 462. "Nam cum divina ordinatione ego Romanus imperator et dicar et sim, speciem tantum dominantis effingo, et inane utique porto nomen ac sine re, si urbis Romae de manu nostra potestas fuerit excussa."

102. Confer Frederick's letter of complaint to Eberhard, Archbishop of Salzburg, given in Ragwin, *Gesta Friderici,* IV, 31, *loc. cit.,* pp. 462, 463: "Nos respondimus, quod pacem quidem inviolabiter huc usque tenuissemus, de caetero autem neque eam tenere, neque ea teneri vellemus, quoniam ipse prior eam violasset in Siculo, cui ipse sine nobis reconciliari non debuisset."

103. *Ibid.* "Adiecimus tamen, quod omnem iusticiam dare et accipere parati essemus... Dixerunt tamen, nisi prius cognita papae voluntate super hoc se nihil posse vel audere."

him to cement their league by his support, and they, in turn, promised to come to no agreement with Frederick without Adrian's consent. Adrian agreed to excommunicate Frederick within forty days.[104] As was to be expected, with Frederick in Italy, William of Sicily found it to his own advantage to carry out the terms of the Concordat of Beneventum and to cast his lot with the Pope and the Lombard communes.[105] Manuel Comnenus, because of his constant conflict with the Normans of Sicily, decided to support Frederick. Affairs were fast coming to a crisis when death suddenly overtook Adrian on September 1, 1159. Consistent with his own true inherent nobility Frederick sent ambassadors to attend the funeral of Adrian,[106] and desired all respect and honor to be paid at the obsequies of his staunch opponent.

Thus ended the last great struggle between them — a definite victory for neither side. In this last conflict, Frederick allowed his dreams and ambitions to dominate, and in the stubborn resistance encountered lost all sense of the good statesmanship which generally characterized him. Adrian retaliated by making sweeping demands on the imperial power, destined, for all practical purposes, to wipe out the Emperor's influence in Italy. They had diametrically opposed conceptions of what the position of Emperor of the Holy Roman Empire implied. In their attempts to retain their respective prestige, each probably made stipulations for the other which were excessive. To Adrian's credit it must be admitted that he steadfastly refused to make the spiritual sword but a handmaid of the temporal. He did succeed in following out his inflexible course and refused to surrender even one iota of papal prerogatives. His death ended as great a struggle between Church and State as any age has witnessed.

104. *Annales Placentini Gibellini,* M.G.H., SS., Vol. XVIII, p. 459. This is the authority for Adrian's coming to an alliance with the Communes. It likewise informs us of his intention to excommunicate Frederick: "...et quod usque ad 40 dies excommunicaret imperatorem; non tamen juramento firmavit."

105. Romuald of Salerno, *Chronicon, loc. cit.,* p. 199.

106. Ragewin, *Gesta Friderici,* IV, 43, *loc. cit.,* p. 467.

CHAPTER IV

BARBAROSSA'S STRUGGLE WITH ALEXANDER III —— LAST YEARS

The crisis between Adrian and Barbarossa, which hung so perilously, terminated at the former's death, but was followed immediately by another of even greater moment. The problem of Church and State continued although the necessity of electing a new Pontiff diverted it into a different channel. The question no longer concerned itself with Frederick's rule over the hereditary papal possessions, but whether or not he was to rule the Papacy itself, making the spiritual sword a docile weapon in his quest of world domination. In point of fact the situation was far more serious than it had ever been under Adrian. Fearing lest someone partisan to the imperial cause be elected, the majority of the cardinals present at Adrian's death seem to have entered into an agreement to elect someone who would follow in the same inflexible fashion the policies of Adrian. Whether they came to a definite formal compact to this effect cannot be determined although the supporters of Octavian, the imperialists' strongest candidate, declared that they took a solemn oath in the presence of Adrian to select a Pope out of their own number.[1]

The scene of the election which followed a few days later, September 7, was in itself a ridiculous travesty, yet for the Church a tragedy.[2] Nearly all of the cardinals[3] were present at the burial

1. Ragewin, *Gesta Friderici,* IV, 52, *loc. cit.,* p. 473, gives the letter of the party supporting Cardinal Octavian. Cf. also Frederick's proclamation from Pavia. *Ibid.,* IV, 69, p. 484.

2. The contemporary literature is naturally very partisan. Boso, *Vita Alexandri,* ap. Duchesne, *Liber Pontificalis,* Vol. II, pp. 397 ff.; Alexander III, *Ep. ad archiepiscopum Ianuensem,* ap. Migne, *P.L.,* Vol. 200, pp. 69 ff., likewise many other letters; encyclical letter of cardinals electing Alexander, ap. Watterich, *Pontificum Romanorum Vitae,* Vol. II, pp. 464 ff., and pp. 493 ff.; Gerhoh of Reichersberg, *De Investigatione Antichristi,* ap. M.G.H., LL., Vol. III, pp. 360 ff. — Ragewin omits a discussion of the election, but presents the letters of Octavian to the German princes, of Alexander, of Imarus of Tus-

of Pope Adrian, after which, on the following day, they immediately began to take steps to elect a successor. Alexander presents his account as follows:

> "... After three days of discussion all the cardinals except three elected us, although we are not sufficient for this burden and not worthy of so high an office. The three who opposed our election were Octavian, John of St. Martin's, and Guido of Crema. God is our witness that we are telling the exact truth when we say that all the others unanimously elected us, and the other clergy and the people of Rome assented to it. But two, John and Guido, voted for Octavian and stubbornly insisted on his election ....."[4]

Alexander then proceeds to describe at length the ridiculous scene of the investiture with the mantle. Octavian in his letter to the German princes gives his version of the election:

> "... We wish to inform you that under the Lord's guidance we have been elected Pope. After our predecessor, Adrian IV, of blessed memory, had gone the way of all flesh and had been buried in the church of St. Peter, we all came together to elect his successor. After long discussion and mature deliberation, God graciously inspired our brothers, the cardinal bishops, priests, and deacons of the holy Roman Church, and the other clergy of Rome to elect us. The people of Rome asked for our election and the senators and other nobles assented to it. We were canonically elected and then elevated to the throne of St. Peter ....."[5]

He then tells of the former chancellor's conspiracy against the Church and the Empire, and warns them not to receive his letters since they are full of lies and deception. He is a schismatic and

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culum, of the cardinals electing Octavian, and of the cardinals supporting Roland. *Gesta Friderici,* IV, 50 - 54, *loc. cit.,* pp. 470 - 475. Entirely untrustworthy are the *Annales Palidenses,* M.G.H., SS., Vol. XVI, pp. 48 ff.

3. About thirty-one cardinals were present. Cf. M.G.H., LL., Vol. III, p. 532. "... vix decima portio eorum, quorum intererat, et qui eligendi haberent auctoritatem" supported Octavian.
4. *Cafari Annales,* M.G.H., SS., Vol. XVIII, pp. 28 ff.
5. Ragewin, *Gesta Friderici,* IV, 50, *loc. cit.,* p. 470.

a heretic. Probably the most dispassionate and disinterested account we possess is that of Gerhoh of Reichersberg:

> "When Adrian IV died, the cardinals and clergy of the holy Roman Church met to elect his successor. A secret ballot was taken and the result announced. It was found that a majority of the cardinals had voted for Roland, the chancellor of Adrian IV. A few had voted for Octavian, and some also for master Bernard. Since there could not be three Popes, the majority tried to persuade the minority to give up their candidates and make the election of Roland unanimous. Those who had voted for Bernard then deserted him and some of them joined the party of Roland. The others said that they had no preference but would support either Octavian or Roland, provided the election of either were unanimous; the Church should not be divided on account of it. The number of cardinals who supported Octavian, or were willing to support him if elected, was seven. But a much larger number supported Roland. The majority then tried hard to persuade these seven to unite in electing Roland, and won over all but three of them. Two of these, John of Pisa and Guido of Crema, were very contentious and declared that they would never desert Octavian. So they with the bishop of Tusculum undertook to make Octavian Pope — *papam facere moliti sunt.*"[6]

Alexander's account agrees accurately with that of Gerhoh of Reichersberg except that he fails to mention Imarus of Tusculum, the third supporter of the anti-pope.[7] Octavian's version advisedly remains general and vague.

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6. *De Investigatione Antichristi,* I, 53, *loc. cit.,* p. 360. (Not a literal translation.) Gerhoh maintained a position of neutrality at first, but very shortly was convinced of Alexander's legitimacy.
7. The two accounts likewise harmonize with that of the cardinals (ap. Watterich, *op. cit.,* Vol. II, pp. 464 and 493 ff.), that of Cardinal Boso (*loc. cit.,* pp. 397.), of the *Libellus Tristitiae et Doloris* (M.G.H., SS., Vol. XVIII, p. 368.), and with the account of Romuald of Salerno (*Chronicon,* ap. Muratori, *Rerum Italicarum Scriptores,* Vol. VII, pp. 200 ff.) who, as is to be expected, is anti-imperialistic in attitude. In fact, contemporary evidence is, for all practical purposes, identical in its account of the election.

Seeing that it was impossible to break down the opposition of the imperialistic party, the papal party decided to proceed with the formalities of election. Here the travesty occurred. As the papal mantle was about to be placed upon the shoulders of Roland, Octavian stepped forward and in the Emperor's name forbade him to accept the mantle. The cardinals proceeded with their task and, after an unsuccessful attempt to seize the mantle, Octavian hurriedly produced another and in the excitement of the moment put it on backwards. Instantly he proclaimed himself as Adrian's successor with the name of Victor IV and entoned the *Te Deum.* Thereupon, the doors of the basilica broke open and armed men favorable to Octavian entered. A scene of the utmost confusion followed and Octavian was wildly acclaimed Pontiff.[8] Roland escaped to Nympha where, on September 20, the ceremony of consecration and coronation took place. Eight days later he solemnly excommunicated Octavian and his principal adherents. The schism was on and with the schism the relations of Church and State seemed further from settlement than ever.

The question now arises: What part did Frederick Barbarossa play in the dual election to the Pontificate?[9] Without question he was vitally interested in the outcome. He knew that, had not death intervened, Adrian would have excommunicated him, and he was equally aware from his own contacts with Roland that if he were elected he would steadfastly pursue the policies of Adrian. The Besancon incident of a few years past plainly told him that. Roland, he knew, would prove to be an equally implacable foe to his monistic ambitions. In fact, if the remark passed by Roland at Besancon can be credited, he himself might be considered as

8. See accounts of Gerhoh of Reichersberg, *loc. cit.,* p. 360; *Libellus Tristitiae et Doloris, loc. cit.,* p. 368; Alexander's account given in Ragewin, *Gesta Friderici,* IV, 51, *loc. cit.,* pp. 470 ff.; that of the Cardinals, ap. Watterich, *op. cit.,* pp. 464 ff. and 493 ff.; and the account of Cardinal Boso, *loc. cit.,* pp. 397 ff.

9. A. Hauck, *Kirchengeschichte Deutschlands,* Vol. IV, p. 244, doubts whether Frederick had any influence. "Wenn man sich die Vorgaenge vergegenwaertigt, so spricht doch sehr wenig fuer die Bejahung dieser Fragen. Schon das Stimmenverhaeltnis muss bedenklich machen. Denn wer moechte glauben, dass wenn Oktavian der Kandidat des Kaisers gewesen waere, er nur vier Stimmen auf sich vereinigt haette?"

having definite theocratic leanings. Hence, it was unquestionably to his own interests that Octavian, his one faithful ally in the Eternal City during the hectic days of Adrian IV, be elected. Alexander III, the name Roland assumed, goes further and cites as common a report that Frederick would have made Octavian Pope even had Adrian continued to live.[10] And Cardinal Boso, who was in a position to know, wrote: "Octavian, as after events made plain, would never have inflicted such mischief on the Church unless he had cause to know that he might rely upon the support of the Emperor Frederick if he seized the Papacy. There is good reason to believe that Octavian had sworn to him that he would mount the papal throne by one means or another."[11]

At the time of Adrian's death Frederick was besieging the city

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10. In his letter to Arnulph, Bishop of Lisieux, Alexander writes: "Ita quod a pluribus dicebatur, et quasi fama communis habebat, quoniam, eo superstite, Ottonem (Octavianum), qui semper fuit domesticus Ecclesiae innimicus, ordinare Apostolicum, imo apostolicum, si opportunitatem acciperet, intendebat." Ep. 19, April, 1160, Migne, *P.L.*, Vol. 200, p. 89.

11. Boso, *loc. cit.*, p. 400. One feels inclined to discount Cardinal Boso's evidence in this matter since he is so vehement in his condemnation of the Hohenstaufen, but as to the facts he corroborates other independent information. Roger de Hoveden, *Annales,* sub anno 1159 (trans. Henry T. Riley, Vol. II, p. 256), accuses Frederick outright of putting Octavian upon the papal throne: "But Frederick, emperor of the Romans, being unwilling to acknowledge him, erected an idol for himself, Octavianus, an antipope, and, an execrable convention and league being formed of those of his own blood, against Pope Alexander, his nation determined to pay veneration to him, on which a schism arose in the church, which lasted eighteen years." William of Newburgh, *Historia Anglicana,* M.G.H., SS., Vol. XXVII, p. 230, writes: "Poterat sane scissura illa cito resarciri, poterat multitudini paucitas cedere atque uniri, nisi Fridericus imperator, veteri odio Rollandi Alexandrum non ferens, partem Octoviani (sic) tuendam fovendamque modis omnibus suscepisset." The *Annales Sancti Rudberti,* M.G.H., SS., Vol. IX, p. 776, says: "Octavianus cardinalis a parte cesaris constitutus,... sed Rudlandus... ab ecclesia eligitur." *Annales Egmundani,* M.G.H., SS., Vol. XVI, p. 461: "... quem imperator et aliqua pars cardinalium elegit." *Continuatio Claustroneoburgensis,* M.G.H., SS., Vol. IX, p. 615. Gerhoh of Reichersberg, *loc. cit.*, p. 387, writes: "Victor etiam vulgo papa imperatoris nominatur."

of Crema and he was receiving some hint of what stubborn resistance these Lombards were capable. Hence, it was of the utmost concern to him that their disunion continue. He readily perceived that a Pontiff opposed to his policies would immediately align himself with the communes and would serve as the bond of unity which heretofore was absent. From the incipient efforts of Adrian he concluded that the Pontiff was the one person capable of overriding the communal factions and of welding the Lombards into an impregnable unit.[12] Certain to join with the Pontiff and the Lombards were the Normans of Sicily, born soldiers, and always a difficult element to grapple with. How he might fare against such unified opposition he knew not, but in them Frederick vaguely saw the collapse of his absolutistic dreams.

Hence, upon the news of Adrian's death Frederick acted immediately. He asserted that it was necessary that the new Pope should be a man "who would re-establish the condition of the churches into a union of peace for the salvation of all the faithful and who would treat the Empire and its adherents more honorably — *talis persona, quae ad universorum salutem fidelium, ecclesiarum Dei statum in unionem pacis reformaret, et ipsum imperium ac fideles imperii honestius tractaret.*"[13] The Hohenstaufen was undoubtedly dissatisfied with Adrian, and his words carry the subtle implication that the late Pontiff did not meet with these conditions. He, therefore, sent envoys everywhere to induce those to whom they were sent not to accept any candidate whose name might be put before them until they had communicated with their

12. Hauck, *op. cit.*, Vol. IV, p. 247, opposes this with the argument that it was Frederick's primary interest to avoid a split in the German episcopate which would be the inevitable outcome of a dual election. Their harmony in the past had been very beneficial to the Empire. Nevertheless, this argument carries little weight since Frederick undoubtedly presumed that he could carry the German episcopate along with him and could easily replace the few recalcitrant members with others more favorably disposed.

13. Cf. Barbarossa's letter to Eberhard of Salzburg, M.G.H., Leges, Vol. II, pp. 117, 118. This letter is dated September 16, but from Frederick's own words it seems as though he was unaware of the schism; it seems he had merely received reports of the presence of factions — "pro electione pontificis facienda iam in Romana ecclesia partes esse audivimus, et plurimum inde dolemus."

master, the Emperor. Especially were they to secure the adhesion of the Kings of France and of England, so that no one would be proclaimed Pope except with their assent and his.[14] Writing to his own people he appealed to their right in election. "We do not intend to acknowledge anyone as Pope but the one whom the faithful have chosen with unanimous consent to the honor of the Empire and to the peace and unity of the Church."[15] It is evident from his letter to Eberhard, Archbishop of Salzburg, that Frederick definitely intended to have a voice in the papal election.

Again, the demand made by Octavian on the occasion of the election that Roland, in the name of the Emperor, should not accept the papal mantle, would argue to some previous understanding between himself and Frederick.[16] Otherwise, how dared he make such a demand in the name of the Emperor? Likewise, Octavian seems to have had Frederick's men ready at his services, for without hesitation he summons the bishops to his consecration *per legatos imperatoris*.[17] Together with this, the appearance of the Count Palatine Otto and Guido of Crema, Frederick's ambassadors, upon every scene of opposition to Alexander serves as a severe indictment against Frederick.[18] It was Count Otto who came with armed troops to the protection of Octavian after he had proclaimed himself Pope. The presence of Otto and Guido, always in support of Octavian, casts a cloud over Frederick's supposed attitude of neutrality in the papal election.

Frederick, in his letter of summons to the Council of Pavia to determine the papal issue, addresses Alexander III as "Roland the Chancellor," and requests that he be present because of "his erudition."[19] (Alexander was formerly a great canonist at the University of Bologna.) He plainly avoids the use of the word *concilium* since he must have anticipated Alexander's objection regarding his right to convoke such a gathering. But the Hohenstaufen stands solidly behind his conviction that the care and de-

14. *Ibid.*, p. 118.
15. *Ibid.*, So Frederick tells Eberhard.
16. "... ex parte imperatoris inhibuit." Letter of the cardinals, ap. Watterich, *op. cit.*, p. 494.
17. *Ibid.*, p. 495.
18. *Libellus Tristitiae et Doloris, loc. cit.*, p. 368.
19. Ragewin, *Gesta Friderici*, IV, 55, *loc. cit.*, p. 475.

fense of the Roman Church is his special divine commission — *ipsius cura et defensio a divina providentia creditur nobis esse commissa specialius.*[20] Throughout the letter no intimation whatever is given of the possibility that Roland might be the lawfully elected Pontiff. But all pretense at impartiality falls when, in his letter of invitation to Octavian, Frederick addresses him as Pope.[21] For Frederick the election of September 7 was a closed issue.

If we pass on to the Council of Pavia, summoned by Frederick, his assumed impartiality becomes ridiculously absurd. The Emperor "moved by neither love nor hate of any person, but seeking only the honor of God and the unity of His Church," directed letters of invitation to both the rival claimants.[22] The position of Alexander now became extremely delicate, for by refusing he might appear to have doubts as to his cause, and would give an easy pretext for Frederick's open enmity and for an alliance between him and Octavian. Yet a refusal was inevitable. Both he and his cardinals were convinced of Frederick's hostility, and they also felt that to accept would be to destroy with their own hand the principle of the Church's inherent freedom in spiritualities. After a long consultation with the cardinals, Alexander replied to Frederick's envoys that he recognized in the Emperor the special defender of the Church and would honor him above all other princes, but in honoring him he could not offend God. He wondered at Frederick's want of reverence to the Church which he, Alexander, represented. The Emperor was far overstepping the limits of the imperial dignity in convoking a council without the Pope's knowledge, and in summoning him as if he had any power whatever over the Pontiff. God had willed that he should be subject to no one, and he could not present himself before the imperial council without incurring, through ignorance or cowardice, the risk of enslav-

20. *Ibid.*

21. Boso, *loc. cit.*, p. 401. Hauck denies that this is true, but offers no proof. He merely states: "Die Unwahrhaftigkeit der Behauptung ist offenkundig." *Op. cit.*, IV, p. 248. Watterich, *op, cit.*, Vol. II, p. 459, says that Ragewin, the imperial chronicler, studiously avoided incorporating Frederick's letter to Octavian because it obviously betrayed the Emperor's pre-judgment.

22. Frederick's letter is addressed to "the chancellor, Roland." Ap. Ragewin, *Gesta Friderici*, IV, 55, *loc. cit.*, p. 475.

ing that Church for whose liberty his predecessors had died, and for which he too was ready if necessary to lay down his life.[23] As the Pontiff had anticipated, his absence was cited as a certain argument against the legality of his claims. Octavian, on the other hand, accepted the invitation without hesitation and set out for Pavia.[24]

Having broken the resistance of Crema, Frederick on February 5, 1160, opened the Synod of Pavia. His haste in summoning the synod was to his own best interests. Not only did he wish to stem the influence of Alexander, but he feared the split a delay would cause among his own German clergy and the untold harm resultant upon this.[25] It was in accord with the times, however, that Frederick did not violently set up an anti-pope, as Henry IV had done, but scrupulously attempted to follow the forms of law.[26] Notwithstanding the obscurity of his phraseology his thoughts concerning the relations of the Empire and the Church are transparent enough. "Although I know that in my office and dignity of Emperor I can convoke councils, especially in such moments of peril for the Church, as did Constantine, Theodosius, Justinian, and in later times the Emperors Charlemagne and Otto, yet we leave it to your prudence and power to decide in this important matter. God made you priests and gave you the power to judge us also. And since it is not for us to judge you in things appertaining to God,

23. Letter of Alexander's cardinals to Frederick, ap. Watterich, *op. cit.*, Vol. II, p. 464 ff. "Not only had Alexander and his followers reason to fear the bias of a council convened in the Emperor's name and placed under the aegis of his power, but to acknowledge such an assembly and participate in it would be dealing a fatal blow at the principle at stake, the superiority of the church to every earthly authority." *Cambridge Medieval History,* Vol. V, p. 433.

24. "At noster, inquiunt, papa Victor agnus mansuetus ad concilium episcoporum venit et causam suam examinandam iudicio ecclesie commisit." Gerhoh of Reichersberg, *op. cit.*, I, 53, *loc. cit.*, p. 362.

25. B. Gephardt, *Handbuch der Deutschen Geschichte,* Vol. I, p. 327. "In des Kaisers Interesse lag es, das Schisma so rasch wie moeglich zu beseitigen. Seine Politik hatte glaenzende Erfolge davongetragen, nicht zum wenigsten durch die Einigkeit, die zwischen ihm und seinem Klerus und in diesem selbst herrschte, jeder Zwist konnte hier won schwerwiegenden Folgen werden."

26. Sellery and Krey, *Medieval Foundations of Western Civilization,* p. 159.

we exhort you so to act in this matter as though we awaited from you the judgment of God."[27] Present at the synod were only fifty of the rank of bishop, and hardly any from countries outside of Germany and Italy. To almost everyone it was a foregone conclusion that the legality of Victor's election would be established. Frederick "commanded all the bishops of his dominions (i.e., German and Italian) to assemble at Pavia, supposedly for a discussion and investigation of the relative claims of each party, but in reality that, by deposing Alexander and approving his opponent, they might celebrate the premature victory of the aforesaid Victor. . . . The bishops both from the German and the Italian Empire assembled by the imperial order at Pavia together with a multitude of prelates of inferior rank. All were on the side of Frederick, who with his dukes was present in all his terrors — *terribilis aderat.* Whatever favored the cause of Alexander, as there was no person to plead for him, was either suppressed in silence, or craftily perverted and turned against him; and what was wanting in truth to the merits of his adversary was supplied by artifice."[28]

To this purpose appeal was made to the fact that a pact against the Empire had been entered into, that Octavian first wore the papal mantle — an argument which must have brought a smile even to the imperial bishops,[29] and that Alexander failed to answer

27. "Quamvis noverim officio ac dignitate imperii penes nos esse potestatem congregandorum conciliorum, praesertim in tantis ecclesiae periculis — hoc enim et Constantinus et Theodosius nec non Iustinianus, seu recentioris memoriae Karolus Magnus et Otto imperatores fecisse memorantur —, auctoritatem tamen diffiniendi huius maximi et summi negocii vestrae prudentiae vestraeque potestati committo. Deus enim constituit vos sacerdotes, et potestatem vobis dedit de nobis quoque iudicandi. Et quia in his quae ad Deum sunt non est nostrum de vobis iudicare, tales vos et taliter in hac causa hortamur habere, tamquam solius Dei de vobis expectantes iudicium." Ragewin, *Gesta Friderici,* IV, 64, *loc. cit.,* p. 479.

28. William of Newburgh, *Historia Anglicana, loc. cit.,* p. 230. "Episcopos . . . precepit Papiam convenire tamquam ad discussionem et examen, cuiusnam partis merita preponderarent, re autem vera, ut, Alexandri parte depressa, partem alteram approbantes, dicti Victoris prematuram victoriam celebrarent."

29. Eberhard of Bamberg here makes an appeal to precedent: ". . . quia domni Victoris immantatio prior, illa posterior, quo solo Innocentius Anacleto praevaluit, cum Anacletus plures et maximae scientiae et

the summons to Pavia.[30] What carried greater weight was the production of letters, said to have been written by Roland and his cardinals to the Lombard cities. The charge of treason, however, was completely beside the point and had no bearing whatever on the validity of Alexander's election, but it served its purpose in persuading the Germanic convocation that Octavian was elected by the *sanior pars*.[31] The Chancellor Roland was condemned as "a conspirator, a schismatic, and as one who taught that discord and perjury were to be reckoned as blessings."[32]

Disgusted at the course which the synod took, some of the bishops began to make excuses and to leave the assembly. But Frederick was determined to have the synod maintain a semblance of importance and caused the door of the church to be locked. The imperial pressure would supply what was wanting to the force of the arguments adduced. *"Quosdam blanditiis et variis promissionibus seduxit, quosdam minis et terroribus invitos traxit."*[33] At the ceremony of Octavian's enthronization, on the following day, February 12, Frederick *is said* not merely to have presented Octavian with the insignia of the papal office, but actually to have invested him with the Papacy by means of the ring.[34] And although this fact

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autoritatis haberet electores." Ragewin, *Gesta Friderici,* IV, 71, *loc. cit.,* p. 487. History does not bear out Eberhard's appeal, for Innocent was elected not only by the more numerous portion, but also by the most distinguished members of the body of cardinals who took part in the actual election.

30. Reinald, Archbishop of Cologne, argued. "Quia Rolandus vocationem imperatoris et iudicium ecclesiae spernit, spernatur et ipse; et quia Octavianus se humiliavit, et eorum iudicio se obtulit, verum esse papam et katholicum iudicio ecclesiae Dei referunt." Vincent of Prague, *Annales,* M.G.H., SS., Vol. XVII, p. 679.

31. The arguments adduced at the synod are nicely summarized in Ragewin's account of the *actio concilii,* or in Eberhard of Bamberg's letter to Eberhard of Salzburg. *Gesta Friderici,* IV, 67, *loc. cit.,* pp. 481 ff., and IV, 71, p. 487.

32. Frederick's account of the synod to Eberhard of Salzburg. *Ibid.,* IV, 69, pp. 484, 485.

33. Boso, *loc. cit.,* p. 402. John of Salisbury, Ep. 59, on the election of the Pontiff, says that affairs at Pavia were conducted "velut in castris et sub gladio, minis et terroribus." Migne, *P.L.,* Vol. 199, p. 40.

34. Cf. Alexander's letter to Arnulph of Lisieux, ap. Watterich, *op. cit.,*

cannot be conclusively established, it is certainly illustrative of the Hohenstaufen's long sought-after objective, namely, to make the spiritual sword a power within his control.

Historians frequently have passed over this event, blandly exonerating Frederick of any immediate guilt in the election of 1159, and more or less commending his apparently sincere attempt at neutrality. A casual survey of Barbarossa's letters leaves the impression of neutrality; a deeper study turns the case decidedly against Frederick's non-interference. His several attempts at reconciliation when he saw it would be to his advantage, especially the attempt of 1169, and his action after the decisive defeat he suffered in 1176 at Legnano are a clinching indictment against his supposed stand of neutrality. When, after his defeat, he was compelled to yield to the Pontiff, Frederick without hesitation recognized the legitimacy of Alexander's election. Under his domination Frederick might have agreed to Alexander's terms, but, nevertheless, still questioned his right to the Papacy. Sincerity would have demanded that his action take such a course. But, after Legnano, Frederick not only no longer questions Alexander's election, but frankly admits his own guilt. Although his confession is tempered with excuses, he states openly: *"Occasione nostra Domini nostri Iesu Christi tunica inconsutilis est divisa; et quantum in nobis fuit, per haereses, et schismata violata."*[35] For the remainder of Alexander's reign the fateful election of 1159 becomes a forgotten issue.[36]

Nor did Alexander stagger under the blow of condemnation issued at Pavia. He proclaimed the excommunication of Frederick and renewed the ban already laid upon Octavian and his support-

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p. 492. "Ceterum ut praedictus imperator ecclesiam Dei suae videretur subiugare et supponere ditioni et eam in supremam redigere servitutem: memorato apostatico, sicut dictum est, pontificalia insignia reddidit et eum de Papatu, quod est a saeculis inauditum, per anulum, *prout dicitur,* investivit."

35. Romuald of Salerno, *Chronicon, loc. cit.,* p. 233.

36. F. Boehm, *Das Bild Friedrich Barbarossas und seines Kaisertums,* p. 89, devotes considerable space to the marriage difficulties of Frederick as being the basis of the schism. "Daraufhin habe ihn Papst Hadrian bannen wollen, sei aber vorher gestorben, trotzdem liege darin der Grund zu dem schweren Schisma." He based his stand on later authorities. Johannis Iperius, *Chronicon Sithense S. Bertini,* ap. Bouquet, *R.F. SS.,* Vol. 13, p. 472; *Annales S. Disibodi,* M.G.H.,

ers.[37] Convinced that in Octavian Frederick threatened the very fundamental liberty of the Church, Alexander immediately continued his quest for the support of the princes of Europe and of Frederick's opponents which he had begun before Pavia. With the zeal of a Gregory VII and by reason of tireless labor the Pontiff slowly won the adherence of the leaders of Europe to his cause. He now entered upon a correspondence which was monumental, directed especially to France and England, two centres of influence of the highest importance. At Toulouse, July 22, 1160, a joint council between these two nations was held, to which several of the supporters of Octavian were invited.[38] The capable Guido of Crema employed every oratorical artifice to sustain the cause of the anti-pope, but to no avail.[39] The Hohenstaufen party was well aware that an adverse verdict by an influential council such as this would be fatal to the cause of Victor. Seeing that they were unable to swing the council over to the anti-pope, they began vigorously to support the policy of procrastination offered by some of the representatives.[40] Accordingly it was urged that the question was obscure; that there was everything to gain by delay as the death of

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SS., Vol. XVII, p. 29. "Hoc ipso anno Fridericus imperator Agnetem, principis Burgundiae filiam, uxorem duxit, repudiata priore legittima uxore apud Constantiam; unde in ecclesia gravissimum exortum est scisma." D. Munro bluntly states the truth: "Frederick, knowing that Alexander would be an implacable foe, had an antipope elected; but the latter was recognized only in Germany." *The Middle Ages,* p. 290. Hauck decries the tactics employed by Alexander for his defense. "Statt dem wirklichen Streitpunkt offen zu nennen, wiederholte er vage Geruechte ueber Friedrichs verderbliche Absichten, falsche Beschuldigungen in bezug auf das, was er getan habe, er sprach als persoenlich durch ihn gekraenkt. Der grosse Gegensatz der beiden Gewalten erscheint wie ein Streit zweier kleiner Maenner." *Op. cit.,* Vol. IV, p. 255.

37. Ep. 19 of Alexander, ap. Migne, *P.L.,* Vol. 200, pp. 88 ff.
38. H. Mann, *The Lives of the Popes in the Middle Ages,* Vol. X, p. 41, holds that the council was held at Beauvais and not at Toulouse for the reason that Henry, it appears, was not near Toulouse either in 1160 or in 1161.
39. Mansi, *op. cit.,* Vol. XXI, p. 1155; William of Newburgh, *Historia Anglicana, loc. cit.,* p. 231.
40. Letter of Arnulph of Lisieux to the Roman cardinals, ap. Bouquet, *Recueil des Histoiriens des Gaules et de la France,* Vol. XVI, p. 231.

one of the claimants would simplify everything; that, as far as the Kings were concerned, they should remember that "the Roman Church always bore heavily on princes."[41] Louis VII then declared that he would rest the settlement of affairs in the hands of the English King. The crafty Henry II of England, seeing here a fine opportunity to advance his own cause, arranged a marriage between his young son and the infant daughter of the French King. Henry then proposed to Alexander's legates that if they would assent to the marriage taking place at once, he with the French King would acknowledge their master as the true Pope. The legates assented and the two monarchs joined the forces of Alexander. When later informed of this the Pontiff bitterly rebuked his envoys for having recourse to such underhand methods of gaining allegiance.[42] So rapidly had Alexander's cause advanced that before the end of 1160 William of Newburgh could write that "the whole Latin world, with the exception of the German provinces," accepted Alexander.[43] Even in Germany the imperial party received a severe blow when the highly regarded Eberhard of Salzburg cast his lot with Alexander.

After Pavia Frederick set about with renewed vigor to reduce Lombardy into submission. He showed his opposition to Alexander by guarding all roads, thus to block all communication between the countries of Europe and Alexander. In addition to cutting off communications with Christendom, Frederick seized as much of the patrimony of St. Peter as he could and in this manner reduced the Pontiff to the direst financial straits. When he achieved these two objectives, Frederick summoned the council of Cremona, intending that it be more imposing than that of Pavia. But the bishops failed to appear, and demands of war necessitated postponement Transferred from Cremona to Lodi, the council was convened the following month, and was attended only by the bishops and princes of the Empire.[44] Frederick presided, Victor assisted,

41. *Ibid.*
42. Ep. 40 of Alexander to the bishop of Beauvais, ap. Migne. *P.L.,* Vol. 200, pp. 111 ff.
43. William of Newburgh, *op. cit., loc. cit.,* p. 231. "Parebatque ei in his quae ad curam spectant pastoralem totus orbis Latinus, exceptis provinciis Alemannice ditionis."
44. "Fuerunt autem in ipso concilio recitate littere excusatorie regis Datie

and the decisions of Pavia were reiterated.[45]

By June of 1161 the influence of Count Otto of Wittlesbach in Rome had so diminished that Alexander was once again able to return. But behind the tumultuous reception of the Romans lay an ulterior motive. Once again their greedy hands sought the gold he would lavish upon them. For the moment the Pontiff thought of buying their allegiance, but his sad financial status soon made this impossible. He was compelled to borrow money to pay his debtors and inaugurated the system of *provisions* which later resulted in great detriment to the Church.[46] When money was no longer forthcoming, the fickle Romans changed their allegiance and Alexander was compelled to leave Rome before a month had run its course. As has been intimated, Frederick was responsible for the Pontiff's plight, and with his arch-opponent backed against the wall, he sought to frustrate his next move. Shrewdly anticipating Alexander's attempt to find asylum in France, Frederick wrote to its chancellor, Hugh of Soissons, to tell him that the Pope was coming there for refuge, to get money to pay off the debts with which he was heavily laden, and to pollute the land with schism. With almost brutal frankness the Emperor informs his correspondent that his agents had brought it about that Alexander could not find a place in the neighborhood of Rome where he could lay his head.[47] His efforts, however, went for naught, for in the beginning of 1162 we find Alexander in France — the traditional place of refuge for oppressed Pontiffs.

The same year, 1162, saw the capitulation of Milan, the key-

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et regis Norvegie et regis Ungarie et regis Boemie et sex archiepiscoporum et viginti episcoporum multorumque abbatum, tam Claravallensium quam aliarum congregationum atque prepositorum." Otto Morena, *De Rebus Laudensibus,* M.G.H., SS., Vol. XVIII, p. 632. He adds, however, that in their letters they all had declared themselves for Victor.

45. *Ibid.*

46. A system by which the Pontiff, disregarding the recognized rights of the bishop or of the patrons of benefices or livings, claimed the right of providing incumbents for them as soon as they should become vacant. It served as a source of revenue.

47. Ep. of Frederick to Hugh, Bishop of Soissons, ap. Watterich, *op. cit.,* p. 518. "...qui propter fideles nostros circa Roman non habet nec invenit, ubi caput suum reclinet."

stone of Lombard resistance, and upon that city, with studied cruelty fell Barbarossa's vengeance. "The sight of the misery and fall of so great and noble a city aroused pity even in her enemies, who could not refrain from appealing to the clemency of Frederick. The stern ruler would not bend, but turned a heart of stone to their prayers. For him harshness in this case was justice. The imperial majesty must be vindicated by a signal example of rigour which should extirpate all hope of future conflict. Milan, given over to pillage and fire, seemed buried forever beneath the mass of her own ruins."[48] But little did the Emperor realize that in the ashes of Milan lay buried the seeds of his ruin. Frederick Barbarossa had reached the acme of his power. He had attained one great objective; there remained but two more, the domination of the Papacy and the subjugation of Sicily. On the attainment of the former, he was shrewd enough to realize, rested the permanent success of all his other undertakings.

With Lombardy under control Barbarossa directed his attention to the establishment of his own Pope. Immediately he sought a conference with the Emperor Louis VII of France, adducing his new proposal to depose both claimants to the Papacy and elect a new Pontiff. According to Boso, the Emperor devised this scheme because, though troubled in conscience, he was too proud to undo what he had done, and, on the other hand, because he feared the loss of his imperial crown should Alexander gain the day.[49] Whether or not this be true, Frederick did succeed in convincing Louis of the advisability of his plan. Alexander seriously remonstrated with Louis, but to no avail. The conference, arranged to take place on the bridge of St. Jean de Losne, a small town between Dijon and Dole in Burgundy, was a dismal failure. Louis soon discovered that he had been duped by Frederick and that the Emperor had no mind to hold an impartial inquiry; his purpose was to compel Louis to acknowledge his creature, Octavian. "There, by the grace of God, the affair of our Lord Pope Victor will fittingly terminate, to the glory of God, the peace and unity of Holy Church, and to the complete honor of the Empire."[50] Forced to leave before the meeting

48. *Cambridge Medieval History,* Vol. V, p. 434.
49. Boso, *loc. cit.,* p. 405.
50. Frederick's letter to the Archbishop of Lyons, M.G.H., Leges, Vol,

had ended, Frederick left Reinald von Dassel upon the scene to insure a successful issue. Reinald then brought forth the old Carolingian contention that the Papacy was an imperial bishopric concerning which the other sovereigns had no right. "If the Emperor," he argued, "by his support would wish to terminate a controversy concerning the episcopate in their cities, they without doubt would take it gravely amiss, although they themselves are now attempting to do similarly with regard to Rome."[51] Reinald's line of argumentation reflects the position Frederick had assumed. Rome was no longer an independent bishopric, but now, like the others of his realm, rested under the imperial wing.

It now became imperative that Alexander bring about a reconciliation between Louis and Henry and gain their support. This opportunity was offered him shortly before the Council of Tours where he met both regents. The Pontiff was treated with the greatest reverence and before their respective departures he was assured of their support.[52] At Tours, on May 17, 1163, before a large assembly of seventeen cardinals, one hundred and twenty-four bishops, four hundred and fourteen abbots and a great number of other clerics and laity, the condemnation of Octavian was renewed.[53] Even several of the German bishops secretly subscribed to Alexander.[54] Once more Alexander felt secure and retired to Sens where for the next seventeen months he awaited the development of events in Italy.[55]

II, p. 134. His object was "...super domini papae Victoris confirmatione finem imponemus." In another of his letters, cited by Watterich, *op. cit.*, p. 524, Frederick writes: "Ibi enim per gratiam Dei totum negotium domini Papae Victoris ad gloriam Dei et ad pacem et unitatem sanctae ecclesiae et omnimodum honorem imperii honesto fine terminabitur."

51. *Saxo Grammaticus,* ap. Watterich, *op. cit.,* p. 533.

52. Boso, *loc. cit.,* pp. 407, 408.

53. *Ibid.,* pp. 418 ff.; Romuald of Salerno, *Chronicon, loc. cit.,* p. 204; *Acta Turonensia,* ap. Mansi, *op. cit.,* Vol. XXI, pp. 1167-1175.

54. Hugo Pictaviensis, *Historia Vezeliac,* ap. Watterich, *op. cit.,* p. 534. "Nam et Germanorum episcopi plures occulte scripserunt Alexandro Papae."

55. Boso, *loc. cit.,* p. 410. "...a kalendis Octobris usque ad Pascha secundi anni."

Despite his cruel exhibitions of power Frederick had failed to stamp out resistance in Lombardy. The excessive demands of his representatives there nurtured the smouldering fires of rebellion. In the fall of 1163 Frederick set out on his third expedition, paid little heed to the complaints against his agents, and set as his objective the subjugation of Sicily. He did not proceed very far, however. He had now to reckon with the hostility of Venice and the Greeks. But already at Ancona he encountered greater opposition than he had anticipated. While Ancona was yet unsubdued, four cities of the Veronese March, Trevisio, Viacenza, Padua, and Verona formed a league with Venice to resist imperial oppression, especially when that came from an Emperor who was not in communion with the Church.[56] The nucleus of the Lombard league had originated. Frederick attempted to pacify the cities with promises, but for the first time helplessness in the face of opposition compelled him to recross the Alps. Meanwhile Octavian died, but Guido of Crema was set up in his stead as Paschal III. The following year Frederick called the great Diet of Wuerzburg in order to gain the general recognition of his new Pope. His encyclical letter following the diet shows that the Hohenstaufen now shouldered both imperial and ecclesiastical responsibilities. He no longer hesitated to call councils. "Moved by zeal of reforming the house of the Lord, . . . we declared to all the princes of our Empire a general curia on Pentecost Day at Wuerzburg."[57] But the Emperor met with extreme opposition from the German episcopate who refused to accept an election so patently uncanonical.[58] At this time Henry II of England was having difficulties with Thomas Becket and Frederick received a ray of hope when Henry cast his support in favor of the antipope, Paschal III.[59] But, in reality,

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56. *Ibid.*, p. 411; *Anonymi Laudensis Continuatio,* M.G.H., SS., Vol. XVIII, pp. 643 ff.; Cf. Butler, *The Lombard Communes.*

57. Ap. Watterich, *op. cit.*, p. 551.

58. *Annales Reicherspergenses,* M.G.H., SS. Vol. XVII, pp. 471, 472; Letter of Alexander to King Louis, Ep. 357, June 30, 1165, states that only three bishops took the Emperor's oath absolutely. Ap. Migne, *P.L.,* Vol. 200, p. 382.

59. See Alexander's letter to the Archbishop of Rouen, May 16, 1166, Ap Migne, *P.L.,* Vol. 200, pp. 417, 418.

Alexander was now recognized as the uncontested head of Christendom.

All the enemies of Frederick now anxiously desired the return of Alexander to Rome.[60] In the Eternal City itself, chiefly because of the tireless efforts of John, Cardinal of SS. John and Paul, the citizens began to look anxiously for his return. Accordingly envoys were sent to Sens who sought to persuade the Pontiff that by heeding their request, he would be consulting the best interests not only of the Roman people but of all the churches and peoples of Italy.[61] With the aid of the Sicilians Alexander entered Rome in November, 1165, amidst the tumultuous welcome of its citizens. From Germany Frederick could not fail to perceive the triumph of his rival and the danger to his cause that this necessarily entailed. Thereupon he began to recruit an army powerful enough to crush all opposition from one end of Italy to the other. In order to bring a more vivid realization of his ideal before the people, he had Charlemagne canonized by the antipope, Paschal, at Aix-la-Chapelle on Christmas Day, 1165.[62] "But times had changed and altered situations had arisen for the Papacy, the Empire, and the peoples now awakened to a new life. Frederick Barbarossa in his lofty aspirations had no conception that he was summoning from the tomb of his great predecessor in Aix-la-Chapelle the phantom of a past for which there was no longer a place amid the living."[63]

The absence of Frederick in Italy allowed resistance to grow up from all sides. Lombardy was a seething caldron of unrest and tumults frequently broke out against the severe exactions of the imperial podestas. The child, William II, had succeeded his father to the throne of Sicily and his mother as regent maintained friendly relations with Alexander and an antagonistic policy toward the Emperor. United with the anti-imperial forces was Manuel Comnenus who aimed at gaining a foothold in Italy and sought to flatter the Pope by holding out to him the mirage of reunion of the two Churches. Alexander was ready to negotiate with all

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60. Romuald of Salerno, *Chronicon, loc. cit.,* p. 205.

61. Boso, *loc. cit.,* p. 412.

62. *Annales Cameracenses,* M.G.H., SS., Vol. XVI, p. 538.

63. *Cambridge Medieval History,* Vol. V, p. 439.

these elements in order to render Barbarossa's prospects impossible of attainment. Venice entered an alliance with Sicily and Constantinople, forming a joint domination with the Normans and the Greeks over the Adriatic, while Pisa and Genoa, although in league with the Emperor, were mutually so quarrelsome and jealous of each other that they could not be relied upon too heavily. Frederick saw the network of opposition tightening, yet refused to relinquish his dream of domination beyond the Alps.

With a powerful army, late in the year 1166, Frederick once more set out for Italy, resolved "to set the heresiarch of Crema in the seat of Peter, and to seize, or expel, or slay the Vicar of Christ."[64] Dividing his army he sent one division under Christian, the Archbishop of Mainz, to Rome, while he himself marched into the Romagna. Alexander declared Frederick deposed,[65] and it was now that the Lombard cities, emboldened perhaps by the action of Alexander, resolved to stand by one another in opposing any further oppression from Frederick, "saving only the loyalty they owed to the Emperor."[66] The rebuilding of Milan commenced forthwith. Meanwhile the citizens of Rome rashly set out to attack the forces of Christian who, in turn, hurriedly sent word to Frederick, appealing for assistance. Frederick inflicted a devastating defeat, made a fierce assault upon Rome, and entered the city in triumph on July 29, 1167.[67] On the following day he was again crowned by the antipope, Paschal. Alexander once more was forced to flee, disguised as a pilgrim, and to seek shelter among the friendly Normans at Gaeta. But the triumph of Frederick was short-lived. A virulent form of malaria struck the German army with appalling suddenness and his mighty host soon withered to nothing.[68] Among those stricken by death were some of his mightiest henchmen.[69]

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64. John of Salisbury, Ep. 189, ap. Migne, *P.L.*, Vol. 199, p. 200.
65. *Ibid.*, Ep. 218, p. 212.
66. *Libellus Tristitiae et Doloris, loc. cit.*, p. 377.
67. Ragewin, *Gesta Friderici,* (appendix, listed sub anno 1168, but obviously should be 1167), *loc. cit.*, p. 492.
68. Otto Morena, Otto of St. Blasius, and John of Salisbury dramatically tell of this occurrence. Listed successively in Watterich, *op. cit.*, pp. 570 ff.
69. See names enumerated in Ragewin, *Gesta Friderici,* (appendix), *loc. cit.*, p. 492.

Frederick fled, but the pestilence followed. The Lombard cities now cast off all pretence of dependence and by the spring of 1168 the position of Frederick became desperate. With difficulty and under cover of night he escaped beyond the frontier of Italy. The powerful monarch who had descended into Italy certain of victory, returned alone, disarmed, a fugitive, "but his mind was undaunted and his ambition was bent more than ever on the re-affirmation of his rights and the restoration of lustre to the waning star of the Empire."[70] "No man was ever more indomitable in devising means to pursue a chimera, or more undaunted in his resolve to overcome insurmountable obstacles than Barbarossa. For in all that he did during these six years (following his return) he had two ends ever before his eyes. He would humble Alexander by making Christendom acknowledge the antipope, and he would subdue to his will the cities of Lombardy."[71]

During the six years that followed the flight of Frederick from Italy there was an intermission in the death-struggle between the Church and the Empire. The Lombard League took its final shape in the beginning of 1168. Fear of the Emperor had now destroyed even the jealousies of the neighboring and rival cities. From Milan to Venice and from Bergamo to Bologna there now was a wedge of fortresses that defied opposition.[72] As a symbol of alliance with the Papacy, Alessandria was built at a key position on the Tanaro river and fortified to its utmost capacity. Alexander, on his part, aided the Lombardy clergy and did all in his power to encourage the league and to tighten the bonds between himself and his other allies.[73] During the interval Paschal died and a certain monk, John of Struma was set up as Callixtus III. At this juncture it seemed

70. *Cambridge Medieval History,* Vol. V, p. 442.
71. H. Mann, *op. cit.,* Vol. X, p. 99.
72. The first oath of the Lombard League begins: "Ego iuro, quod adiuvabo Venetias et Veronam et castrum et suburbia et Vincentiam et Paduam, Trivixium, Ferrariam et Brixiam, Bergamum, Cremonam, Mediolanum, Laudum, Placentiam, Parmam, Mutinam, Bononiam et omnes homines et omnia loca, quaecunque fuerint in hac concordia ..... etc." This oath is dated Dec. 1, 1167, but variations of it soon followed. Ap. Watterich, *op. cit.,* p. 573.
73. Boso, *loc. cit.,* p. 419; Jaffe, *Regesta Pontificum Romanorum,* no. 11, 747, Vol. II, pp. 232, 233; Ep. 851, Jan. 28, 1171, ap. Migne, *P.L.,* Vol. 200, pp. 770 ff.

wise to Frederick to make an attempt at reconciliation which might be a means of showing Germany his good intentions regarding the close of the schism and particularly of arousing suspicion against the Pope among the Lombards and in Sicily.[74] Eberhard of Bamberg, now a strong supporter of Alexander, was sent upon the deputation with strict orders to confer with the Pontiff only. The latter had his misgivings and hurriedly arranged that envoys from the chief cities of the league be present at the conference.[75] The Emperor made concessions, but made no explicit avowal of his readiness to accept the validity of Alexander's election. The meeting came to nought as Frederick had probably intended it should, for, just a short time before, he had sent envoys to Henry of England to offer an alliance against the Pope and against Louis of France.[76] Not long after, he again reiterated his former statement that he would never recognize Alexander as Pope. War alone, it appeared, could be the arbiter in this issue between Church and State.

With a vast army Frederick crossed the Alps in the year 1174.[77] Entering Italy he immediately gained the allegiance of several small towns and hurriedly marched toward that "city of straw,"[78] Alessandria. But the determination of the Emperor to crush the Lombards was no greater than their determination to oppose him to their dying breath. After attempting every manner of attack within his power, Frederick was compelled to lift the siege. Stunned at this first set-back he retreated to Pavia and entered negotia-

74. Boso, *loc. cit.*, p. 421, "Quod quidem, sicut postmodum claruit, hac astutia fecisse dinoscitur ut inter Ecclesiam et Lombardos scandalum poneret et eos ab invicem separaret." John of Salisbury, Ep. 293, ap. Migne, *P.L.*, Vol. 199, pp. 337 ff.

75. Boso, *loc. cit.*, p. 421.

76. Letters of Countess of Bologna to Louis, and of Matthew of Sens to Alexander, ap. Bouquet, R.F. SS., Vol. XVI, p. 144 and p. 321.

77. Boso's description of Frederick's men: "Habebat enim circa se multitudinem copiosam barbarice gentis, homines assuetos in bellicis artibus, viros nequissimos, rapaces et desperatos, quos de Flandria et circumpositis locis collegerat, et quos neminem amantes amat nemo." *Loc. cit.*, p. 427.

78. Romuald of Salerno, *Chronicon, loc. cit.*, p. 213; Boso, *loc. cit.*, p. 428, have interesting descriptions of this siege.

tions for peace.[79] Legates were sent by the Pontiff and the first point insisted upon by the confederates was that Frederick should make his peace with the Church. The second was that no further demands should be made upon them than those imposed by his predecessors since the later Henry (Henry V). Barbarossa received the Popes legates with the greatest respect and honor and for a while a peaceful settlement seemed in the offing. But when it came to a final settlement Frederick reverted back to his old theme and would grant the cities only the privileges they possessed in the time of Charlemagne or Otto. He insisted, too, on the demolition of the hated Alessandria, and demanded from the Church "what was never conceded to any layman."[80] Under such circumstances peace was impossible.

Meanwhile the Lombards kept an alert, watchful attitude; Frederick was now on the defensive and had to await reinforcements from Germany. Hostilities continued on a small scale during the winter of 1175-76, but everyone was aware that affairs were slowly heading to a crisis. With the appearance of a fresh German army in Italy, the league cities flew to arms and assembled at Milan. The two armies met on the plains near Legnano on May 29. Frederick opened battle with a sudden fierce attack and immediately pressed hard upon the small band of Lombards. They were forced to retreat until reinforcements gathered and thereupon the tide of battle soon changed. Frederick barely escaped with his life and before the sun had set the power of the great Barbarossa was broken.[81] In the history of Church and State, the battle of Legnano was a decisive one. It definitely crippled the autocratic ambitions of the Hohenstaufen even if it did not completely stifle them.

Frederick had fought and lost. "One of his highest qualities as a statesman was his ready and intuitive perception of changed

79. Boso, *loc. cit.,* p. 429. "Salvo imperii iure," but the Lombards countered with "Salva ecclesie Romane ac nostra libertate pro qua decertamus."

80. *Ibid.,* p. 431; Cf. also *Continuatio Samblasiana,* 23, *loc. cit.,* p. 315.

81. Romuald of Salerno, *Chronicon, loc. cit.,* p. 215. For a description of the battle, see *Annales Mediolanenses,* M.G.H., SS., Vol. XVIII, p. 378, which has served as a basis for C. Oman's fine analysis in *The Art of War in the Middle Ages,* Vol. I, pp. 445 ff.

situations. He accepted facts and determined to consider some other policy which would reconcile the order of things created by the Lombard victory of Legnano with the dignity and majesty of the Empire."[82] Another expedition was out of question. Alexander, he realized, was now in the position of power and if he was still to uphold some of the prestige of the Empire, he must come to terms of peace with his arch-opponent. In this move he showed keen judgment. By restoring friendly relations with his foremost adversary, he would be in a position to allay the scruples of the Germans disturbed by the papal schism and to smooth the way for an understanding with Lombardy and Sicily. The Pontiff assured the imperial envoys that there was nothing he desired more than peace, but cautiously added that peace would not be concluded "without the assistance of the Lombards, the King of Sicily, and the Byzantine Emperor."[83] After many days of discussion, at last the *Instrumentum Pacis Anagninae,* in twenty-eight clauses, was agreed upon. It involved most important relations between Church and State which were, in the following year, incorporated into the Peace of Venice. Among the more important agreements were the following:[84]

1. The emperor and the empress, and their son, king Henry, and all the princes promise to accept pope Alexander III as

82. *Cambridge Medieval History,* Vol. V, p. 447.

83. Alexander's letter to the Lombards, ap. Watterich, *op. cit.,* p. 597: "Qui cum vehementer apud nos institissent, ut ad pacem inter ecclesiam et imperatorem complendam intenderemus, nec possent obtinere, quod sine Lombardis aut sine rege Siciliae vel Constantinopolitani imperatoris pacem ad plenum et ad solidum statueremus." Boso, *loc. cit.,* p. 434. It seems that Frederick presumed that he would have no difficulty in persuading Alexander to come to a private agreement with him and that this would take place at Ravenna, one of the few cities still favorable to him. (After sending his legates to Alexander, he writes to the Patriarch of Aquileia: "...quae utique in consilio Ravennatensi, in conversione sancti Pauli celebrando praesente utriusque partis principali capite toti ecclesiae promulganda est." Watterich, *op. cit.,* p. 604.)

84. Translation taken from Thatcher and McNeal, *A Source Book for Mediaeval History,* pp. 197 ff. Here the *Instrumentum Pacis* is divided into thirty clauses, although the more common division is twenty-eight. This version differs slightly in content from that given in Watterich, *op. cit.,* pp. 597 ff.

the catholic and universal pope, and to show him such reverence as their predecessors were wont to show his predecessors.

2. The emperor promises to keep peace faithfully with pope Alexander and his successors and with the whole Roman church.

3. All the regalia and other possessions of St. Peter as held by the Roman church in the time of pope Innocent II, which have been seized by the emperor or his allies, shall be restored to pope Alexander and to the Roman church, and the emperor engages to aid the church in retaining possession of them.

4. The emperor restores to the pope and to the Roman church the control of the office of prefect of the city of Rome; the pope shall see to it that justice shall be done the emperor when he has occasion to seek his rights in the city.

5. All vassals of the church won over by the emperor to his side during the late quarrel, shall be released from their allegiance to him and restored to the pope and to the Roman church.

6. The emperor will restore to the pope and to the church the lands of the countess Matilda as they were held by the church in the time of the emperor Lothair and king Conrad and the present emperor Frederick.

7. The pope and the emperor will mutually aid one another in maintaining the honor and the rights of the empire and the church.

8. Everything unjustly taken from the church by the emperor or his followers during the schism shall be restored.

9. The emperor will make peace with the Lombards on the terms agreed upon by representatives appointed for this purpose by the emperor and the pope and the Lombards. In case any difficulty arises in the course of these negotiations which the representatives cannot settle, it shall be decided by the majority of the special commissioners to be appointed for this purpose by the emperor and the pope in equal numbers.

10. The emperor will make peace with the king of Sicily and with the emperor of Constantinople and with all the allies of the pope, and he will not take revenge for any wrongs which

they may have committed in assisting the Roman church.

(11-22 - Articles referring to individuals and lesser details.)

23. Pope Alexander and the cardinals on their part make peace with the emperor and the empress and their son, king Henry, and all their party. This, however, shall not prejudice those rights of controlling and judging ecclesiastical persons which are herein surrendered to the pope and to the Roman church, nor the rights of the Roman church over the lands of St. Peter now withheld by other persons, nor the special exceptions made in this document in favor of the pope and the Roman church, on one side, and the emperor and the empire, on the other.

24. The pope and the cardinals will take their oath to keep this peace, the oath to be drawn up in writing and signed by the cardinals.

25. The pope shall immediately call together as large a council as possible, and with the cardinal bishops and other clergy who may be present, shall excommunicate all who break this peace. Afterward he shall do the same in a general council.

26. Many of the nobles of Rome and the great vassals of Campania shall also take oath to keep this peace.

27. The emperor and the princes of the empire will also take their oaths to keep this peace, the oaths to be drawn up in writing and signed by the emperor and the princes.

28. If the pope should die first, the emperor and his son, king Henry, and the princes shall observe these terms of peace with his successors and all the cardinals and the whole Roman church, and with the Lombards and the king of Sicily and all the allies of the church. If the emperor should die first, the pope and the cardinals and the Roman church shall observe these terms with the empress Beatrice, and her son, king Henry, and with all the German people and their allies, as written above.

29. In the meantime the emperor shall not attack the land of St. Peter, whether held by the pope in person or by the king of Sicily or other vassals of the pope.

30. If the negotiationns for peace are broken off by either side before they are completed, which God forbid, truce shall

be kept for three months after the notification of withdrawal. The very tone of the Pact of Anagni betrays the feeling of security which the legates of Alexander felt. Nevertheless, it cannot be charged that they took advantage of their position; rather, they sought only to retrieve the rights which they deemed as inherently papal prerogatives. Compared with the Concordat of Worms of 1122 the agreement of Anagni was decidedly more definite and less conciliatory in tone.

Frederick's legates, Christian of Mainz, Wichman of Madgeburg and Conrad of Worms, agreed to the terms of the pact and in the name of the Emperor promised peace with Alexander and his successors. They likewise agreed to the restoration of the prefecture of the Eternal City and to the return of the Matildine lands. Frederick, too, will live by the Concordat of Worms - *"quod ordinatum est de Callixto, ex parte sua observabit."*[85] The legates promised to do everything possible to make this an effectual and lasting peace. In the meantime Frederick, strangely undaunted in the face of his recent defeat, presumed that he, through his legates, would have no difficulty in persuading Alexander to come to a private agreement with him. He likewise took for granted that his desire to have Ravenna, one of the few cities still favorable to him, to be the place of meeting would be fulfilled. After sending his legates to Alexander he writes: *"... quae utique in consilio Ravennatensi, in conversione sancti Pauli celebrando praesente utriusque partis principali capite toti ecclesiae promulganda est."*[86]

But the Pontiff refused to enter a private agreement with the Emperor and demanded that the clauses of the Anagnine Pact be provisional, pending a consultation with the Lombards and the Sicilians. Likewise difficulties arose as to the place of settlement. Alexander meanwhile proceeded to Ferrara in order to discuss the matter with the representatives of the league. On April 17, 1177, in the church of St. George, he addressed a solemn discourse to the Lombards. After deploring the disastrous effects of the schism upon faith and morals, he extolled the victory of the Papacy over the Empire, declaring that it was by the power of God alone that "an aged and unarmed priest was able to resist the fury of the Germans,

85. Cf. *Promissio Legatorum,* M.G.H., Leges, Vol. II, p. 149.
86. Ap. Watterich, *op. cit.,* p. 604.

and without a blow to subdue the power of the Emperor." He then added that the Emperor had wished to make peace with him, but he had declined because of his understanding with the Lombards.[87]

A tone of resentment and perhaps of disappointment can be detected in their response. Appreciating the role he had played in welding them into a unified power, they thanked Alexander, but they could not help feeling that they had been ignored in the drawing up of the Pact of Anagni. In somewhat ironic tones they informed the Pontiff concerning all the hardships they had undergone and that, hence, it was only right that he should not come to a final peace without them. "And, therefore, reverend Father, it is only proper and reasonable that you not only do not receive the proffered agreement of the Emperor without our consent, but do not even hear of it. For he himself has often offered us terms of peace without consulting the Church, but we would not accept; he would come into agreement with us without you, but we would have none of it. We have preferred war with the unity of the Church to peace with its division."[88] The imperial legates now arrived and refused to accept Bologna as the place of official reconciliation because Christian, the imperial chancellor, was an object of open hatred to the Bolognese. Some discussion followed and in the end Venice was accepted on condition that Frederick should not enter the city without the consent of the Pope. The disputes over the conditions of peace were long and bitter. Christian of Mainz gave the three options: they were to agree either 1) to render to the Emperor the *regalia* and his other rights, or 2) to accept the decisions of the Bolognese jurists at Roncaglia, or 3) to accept the conditions of relation prevalent during the reign of the *senior*

87. Romuald of Salerno, *Chronicon, loc. cit.,* pp. 219, 220. "Non ab homine, sed a Domino factum est istud, et est mirabile in oculis nostris quod senex Presbyter, et inermis furori Theutonico potuit repugnare, et sine bello Imperatoris potentiam potuit debellare."

Throughout this section the *Chronicon* of the archbishop, Romuald of Salerno, has been used as a basic source since he was an eyewitness and gives us his word that he speaks only the truth. "Haec autem omnia, quae praediximus, ita gesta fuisse, nulli dubitationis, vel incredulitatis scrupulum moveant, quia Romualdus secundus Salernitanus Archiepiscopus, qui vidit et interfuit, scripsit haec: et sciatis, quia verum est testimonium eius." *Ibid.,* p. 240.

88. *Ibid.,* p. 220.

Henry (Henry IV).[89] The acceptance of such proposals would leave Barbarossa's position over the Lombards practically unchanged. But the Lombards were not slow to perceive this. They were determined not to admit the privileges conceded to the Empire at Roncaglia, but to restrict them solely to the rights enjoyed by Lothair and Conrad III. Besides, they declared hotly, Henry IV was a tyrant.[90] Realizing that a considerable amount of time would be required to bring about an agreement of terms, Alexander wisely proposed that, for a full discussion of the different questions, a truce of six years should meanwhile be agreed upon between them, and a truce of at least fifteen years between the Emperor and the King of Sicily.[91]

Barbarossa's attempt to enter Venice without the permission of the Pope, as had been previously agreed upon, almost brought about the complete frustration of plans for peace.[92] His action plainly disgusted even his chancellor and the other ecclesiastical princes anxious for peace who felt themselves bound by the Pact of Anagni. Bitterly did they remonstrate with him. At his bidding they had arranged for peace, and now he himself wished to violate the conditions of that very same peace. "We . . . are ready to obey you as our lord in temporal things, and for the *regalia,* which we hold, we are prepared to offer the accustomed service. But because you are the lord of our bodies and not of our souls, we refuse to lose our souls on account of you and to choose temporal blessings in preference to spiritual. Wherefore, let Your Imperial Highness understand that for the future we will recognize Alexander as Pope of the Catholic Church and that henceforth we will obey him in spiritual concerns. But the idol you have set up in Tuscany we will adore no longer."[93] Frederick apparently was still chafing under the sting of defeat, but now, pressed upon from all sides, he solemnly promised to live up to all the terms of peace — *"imperator . . . leonina feritate deposita, ovinam mansuetudinem in-*

89. *Ibid.,* p. 223.
90. *Ibid.* "Item imperator Henricus (salva auctoritate Imperii) non debet Dominus, sed Tyrannus vocari."
91. *Ibid.,* p. 224. "... ut imperator cum eo aut Pacem perpetuam, aut temporalem ad minus usque ad annos quindecim faceret."
92. *Ibid.* See lengthy account, pp. 227 ff.
93. *Ibid.,* p. 230.

duit."[94] The Lombard delegates meanwhile met those of the Emperor and demanded a recognition of the liberties for which they had struggled so valiantly, at the same time conceded the age-old imperial rights of *fodrum regale,* etc.[95] The imperial legates agreed. On July 24, Frederick Barbarossa was escorted with great pomp to meet the Pope. "There in front of St. Mark's, amidst a reverent and deeply-moved assemblage, the two champions met after a struggle of eighteen years for the ideal supremacy which each deemed granted him by God."[96] Overcome with emotion Barbarossa cast aside his imperial mantle and threw himself at the Pontiff's feet. With tears in his eyes the aged Pontiff raised him up and embraced him. The next day the solemn ceremonies of reconciliation were held in St. Mark's amid the tumultuous approval of the populace.[97] For the moment Church and State were in complete harmony. — Strangely enough it was exactly a hundred years since Henry IV had gone to Canossa![98]

The Peace of Venice, with its complement the Peace of Constance (1183), is an outstanding event in the history of Church and State. In the history of the world it was of memorable importance for it was the beginning of legal grants of personal freedom to the great masses of the people. For Pope Alexander it was the achievement of his life-time struggle. Though, because of Frederick's persistent opposition, he had failed to gain control over the lands of the Countess Matilda, he had won imperial recognition of the inherent freedom of the Church and of the sovereign rights of the Pope within the city of Rome and in the other parts of the patrimony of St. Peter. He had kept clearly before his own mind the Hildebrandine ideal of an independent spiritual authority. He had ex-

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94. *Ibid.*
95. M.G.H., Leges, Vol. II, pp. 151 - 153.
96. *Cambridge Medieval History,* Vol. V, p. 450.
97. Cf. the vivid description of Romuald of Salerno, *Chronicon, loc. cit.,* pp. 231 ff.
98. "There is as much difference between the scenes of Venice and Canossa as there is between the characters of Barbarossa and Henry IV. Barbarossa was far superior, morally as well as intellectually, to his Salian predecessor, and commanded the respect of his enemies, even in defeat." P. Schaff, *History of the Christian Church,* Vol. V, p. 117.

ceeded the victory of Worms and attained that for which Adrian IV had struggled so uncompromisingly. The Emperor had practically conceded that the Church was independent within its own sphere and that he had no right whatever to wield the spiritual sword. Barbarossa, moreover, professed that it was no part of the imperial prerogatives to make or unmake Popes,[99] and so Alexander was now able freely to exercise those rights of supreme spiritual jurisdiction which his valid election had already conferred upon him. A later legend, to which poetry and painting have given undue currency, tells how Alexander placed his foot upon the neck of the prostrate Emperor, with the words: "The young lion and the dragon shalt thou trample under foot."[100] "It needed not this exaggeration to enhance the significance of that scene (before the Church of St. Mark's in Venice), even more full of meaning for the future than it was solemn and affecting to the Venetian crowd that thronged

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99. Boso, *loc. cit.,* p. 441. — Historians disagree as to the complete triumph of the Church. Austin Lane Poole in the *Cambridge Medieval History,* pp. 454, 455. "As in the famous dramatic episode at Canossa a hundred years before, the Emperor cloaked a diplomatic triumph under the guise of abject humility... That Frederick remained with the upper hand seems proved from the fact that, in spite of the agreement at Anagni, he refused to evacuate the *terra Mathildis* which he claimed as of right to be imperial territory." J. Haller, *Heinrich VI und die Roemische Kirche,* p. 388: "The Pope entered Venice as judge and left it as a protege of the German Emperor." B. Gephardt, *op. cit.,* p. 340, entitles the chapter dealing with the period 1182 - 1186: "Friedrich auf der Hoehe seiner Macht." A. Hauck, *op. cit.,* Vol. IV, p. 294: "An seiner (Friedrichs) Stellung in der deutschen Kirche wurde also durch den Frieden von Venedig nichts geaendert. In dieser Hinsicht ist er als Sieger aus dem Streit hervorgegangen."

100. Ps. XC, v. 13. This and similar stories are of later origin. First mention of this is found in a chronicle of the following century, c. 1280. Thomas of Tuscany, *Gesta Imperatorum et Pontificum,* M.G.H., SS., Vol. XXII, p. 506: "... super collum prostrati regis ad terram et ad pedes pape iacentis posuit dextrum pedem, psalmographum illud dicens: Super aspidem et basiliscum ambulabis et conculcabis leonem et draconem." These stories, however, are irreconcilable with any contemporary document and are completely out of harmony with the characters of Alexander and Frederick. They probably received greater circulation with the fresco painting of Spinello. Cf. Lord Lindsay, *History of Christian Art,* Vol. II, p. 315.

the church and the piazza. For it was the renunciation by the mightiest prince of his time of the project to which his life had been devoted; it was the abandonment by the secular power of a contest in which it had twice been vanquished, and which it could not renew under more favorable circumstances."[101]

The Peace of Venice provided Alexander with unhampered authority and the opportunity of healing the evils concomitant with the long years of schism. Not merely because a clause in the Treaty of Anagni (n. 25) enacted the summoning of a general council, but also the powerful influence for good which such a council might exert induced Alexander to call the Third General Council of the Lateran in 1179. Many ordinances were proclaimed for regulating the lives of the clergy; rights and privileges, independent of lay authority, were affirmed. The ordinations and ecclesiastical acts of the recent antipopes were declared null and void, and in order to prevent the renewal of schismatical elections to the Papacy it was resolved that the candidate elected by two-thirds of the cardinals should be recognized by the universal Church.[102]

With this council the long and laborious pontificate of Alexander may be said to have come to an end. The remaining two years of his life were occupied with the submission of the antipopes, John and Lando,[103] and with endeavors to secure loyal adhesion to the Peace of Venice. He died on August 31, 1181. It is generally conceded today that Alexander ranks among the truly great Popes of history.[104] His epitaph bears silent testimony to his generosity, modesty, integrity, and care for his people:

"Larga manus, pia cura gregis, pudor almus, honestas
Huic inter superos obtinuere locum."[105]

101. J. Bryce, *op. cit.,* p. 166.
102. Mansi, *op. cit.,* Vol. XXII, pp. 210 ff.; Cf. Hefele, *Conciliengeschichte,* Vol. VII.
103. *Chronicon Fossae Novae,* ap. Muratori, R.I. SS., Vol. VII, p. 874. The date, 1178, should evidently be 1179, since no condemnation of him is made in the Lateran Synod of that year. The *Continuatio Aquicintina* of Sigebert gives the year as 1179. *Loc. cit.,* p. 418.
104. "Ad cuius litteraturam pauci de predecessoribus eius infra centum annos attigerunt. Fuit enim in divina pagina preceptor maximus, et in decretis et canonibus et in Romanis legibus precipuus." Robert de Monte, *Chronica,* M.G.H., SS., Vol. VI, p. 531.
105. Taken from the epitaph on his tomb. Ap. Watterich, *op. cit.,* p. 649.

To his credit is his paternal solicitude for the poor and his sympathetic treatment of persecuted Jews and even heretics. For twenty-two years he guided the Church with great prudence and firmness during one of the most critical periods of its history. Among his enemies was one of the greatest imperial figures of all times, a man of heroic qualities, a born leader, but a man with ideals intrinsically opposed to the ancient prerogatives of the Church. "The champion of the Empire and the champion of the Papacy each represented in this strife contrasting ideals which hardly admitted of reconciliation, and the strife was waged on both sides with vigor because both the champions were animated by a profound faith in the ideals for which they fought."[106] "Elected with difficulty against the wish of influential adversaries, under the cloud of bitter schisms which for a long time held all Europe in doubt, he never hesitated nor gave way in a single point. As tenacious as Hadrian IV in all concerning the great interests of the Church, but more yielding in minor matters, he was sometimes taxed with this pliancy, especially by the partisans of Thomas Becket, and at the time of the peace of Venice by the Lombards; but this reproach was not free from unfairness. An exile from the day that he assumed the tiara, living in exile the greater part of his pontificate, he nevertheless witnessed the triumph of the Church. Amidst the thousand details and daily exigencies of an arduous policy, he never lost sight of the ideal which inspired him — the supremacy of the Church — just as his greatest adversary was animated by a different ideal, and found in it the source of his strength."[107]

As has been seen, the court of Rome had grown into the final court of appeal for all Christendom. The Pope was expected to be the universal referee, arbiter, and peacemaker of Europe, to hold the balance between contending parties, to penetrate and disentangle the intricacies of political situations which baffled the skill of the most experienced diplomats, to exercise a sort of equitable jurisdiction on a vast scale over the whole range of political as well as social life.[108] Alexander's pontificate is notable in that it operated in all these capacities, thus preparing the way for the period of

106. *Cambridge Medieval History,* Vol. V, p. 451.
107. U. Balzani, *The Popes and the Hohenstaufen,* pp. 97 ,98.
108. K. Norgate, *England Under the Angevin Kings,* Vol. II, p. 50.

greatest ecclesiastical influence under Innocent III. Had there been no Alexander III there could never have been an Innocent III, for the pontificate of Alexander marks a necessary transition period between the pontificates of Hildebrand and Innocent. Gregorovius regards Alexander as "one of the greatest of the Popes."[109] Throughout all the vicissitudes of his chequered career he remained *"vir summi ingenii et inter constancie et paciencie semitas discretissimus."*[110] Even Voltaire regards him as a man who in mediaeval times deserved best from the human race, for abolishing slavery, for overcoming the violence of the Emperor Barbarossa, for compelling Henry II of England to ask pardon for the murder of Thomas Becket, for restoring to men their rights, and giving splendor to many cities.[111] "This champion of the Chuch, and the champion of the Empire who stood against him, suggests to the student of history, as he muses over their destinies, that there only where the flame of a high ideal glows in the hearts of men can we hope to find traces of true greatness."[112]

The Peace of Constance in 1183 sealed the agreement of Venice and Anagni and laid down in detail the relations that were to exist between the Empire and the Lombard communes. The imperial claims put forth at Roncaglia in 1158 received considerable curtailment, yet the high sovereignty of the Empire and of its proud but sagacious prince was admitted without question. Its ancient rights were recognized but in such a way as not to interfere with the freedom and development of the republics.[113] Strangely enough, Frederick emergd from his conflict in Italy, indeed with less power, but not with less honor. With the recent German rebellion subdued and Italy at peace, Frederick Barbarossa could enjoy the proud satisfaction of having done great things during his reign, and of having raised the German Empire, at least, through

109. *Op. cit.,* Vol. IV, ii, p. 607.

110. Gervase of Tilbury, *Otia Imperialia,* M.G.H., SS., Vol. XXVII, p. 380.

111. *Oeuvres,* Paris, 1817, Vol. X, p. 998.

112. U. Balzani, *op. cit.,* p. 98.

113. Cf. *Pactum Anagninum.*

good fortunes and bad, to a height not reached for ages. To celebrate the termination of so many vicisssitudes, Frederick commanded a great festival to be held at Mainz for the Pentecost of 1184. At Verona in the same year, only a short time after Constance, he came into conflict with Pope Lucius III regarding the land of Matilda which was still in Frederick's possession. The question was hotly argued on both sides, but the issue remained unsettled — *"nullo fine causa terminata est."*[114] But a far greater struggle arose over the appointment of the archbishop of Trier. So vehement were the differences between Pontiff and Emperor that for a time they threatened to crush the structure of peace which had taken so many painful years to build. It was only under the mild Clement III that the dispute was terminated.[115]

During the following year arose the question of the marriage between Frederick's son, Henry, and Constance, heir to the crown of Sicily.[116] Frederick, unable to achieve his objective by force of arms, had previously attempted to marry one of his daughters to William II. But this was checked by Alexander III who assisted in marrying the Sicilian King to Jane, the daughter of Henry II of England.[117] Lucius quite naturally feared the eventuality of being sandwiched between the forces of Frederick on the north and such strong allies as the Sicilians on the south. Such an alliance would completely overthrow the present balance of powers. In addition Frederick persisted in his demand of the imperial crown for his son. The Pope objected, diplomatically adducing as his reason that the contemporaneous existence of two Emperors was incom-

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114. Arnold of Luebeck, *Chronica Slavorum,* III, 11, M.G.H., SS., Vol. XXI, p. 155.

115. See next chapter for detailed discussion.

116. Constance was already sixty years old while Henry was but a youth. *Annales Stadenses,* M.G.H., SS., Vol. XVI, p. 350.

117. Romuald of Salerno, *Chronicon, loc. cit.,* p. 216. According to Roger of Wendover this occurred in 1176. *Flores Historiarum,* M.G.H., SS., Vol. XXVIII, p. 33. There is some support for the position taken by the historian, J. Haller, that Pope Lucius III was not opposed to the Sicilian alliance, but rather aided in arranging the marriage, hoping thereby to effect peace between two hereditary enemies. "Lucius papa desiderabat coronare et consecrare Heinricum filium imperatoris, sed est quibusdam impeditus cardinalibus." *Annales Stadenses, loc. cit.,* p. 350.

patible with the very nature of the Empire itself.[118] In this objection he undoubtedly enjoyed the support of the electors of Germany who jealously guarded what now appears to have been but a nominal independence in choosing their ruler. Such a coronation would have been a flagrant attempt to make the Empire hereditary. Another reason for the Pontiff's refusal was the constant complaints he received because of Henry's disorderly and arbitrary conduct, concerning which Frederick seems to have been strangely unaware. Henry lacked completely the nobility possessed by his father. Instead of the fearless and skillful soldier, the very personification of all that was knightly in an age of knights, Henry was of unprepossessing appearance, cruel, and without honor even among his friends. Perhaps Lucius entertained the vain hope that the succession of Henry might yet be averted. In spite of the strained situation the personal relations between the Pope and Frederick remained cordial. There were several common grounds for agreement. They mutually agreed that the rapid advance of Saladin and the Moslem powers in the east demanded immediate attention[119] and that the dualistic doctrines of the Albigenses and Waldenses, threatening the very existence of society itself, must be checked. Further negotiations between Lucius and Barbarossa were stopped by the death of the former in the following year, November 25, 1185.

The marriage between Henry and Constance was an eventuality which the successor of Lucius III was unable to forestall. Frederick's political diplomacy, in its attempt to separate the three allied powers that had brought about his defeat, now reached its triumph in the marriage of his son to Constance of Sicily. Thus, with one blow, the Curia was deprived of its strongest ally and the Empire of its most formidable enemy. The enemy who had threatened his position for twenty critical years of his reign was now bound to him by the close ties of relationship. This marriage "constituted for the papacy the gravest check it had suffered for a long time. By it was ruined the whole political edifice so laboriously raised by the popes of the eleventh and twelfth centuries to keep in check the

118. Godfrey of Cologne, ap. Watterich, *op. cit.*, p. 661. "Non esse conveniens, duos imperatores praeesse Romano imperio."
119. Ralph Diceto, ap. Watterich, *op. cit.*, p. 659.

power of the Emperors in Italy and to assure the independence of the Papal States."[120] The lesson of the Alexandrine conflict was not lost upon the astute Milanese who ascended the papal throne in 1185 and assumed the title of Urban III. Having tasted of the ferocious severity of the Hohenstaufen, he was determined to prevent any recurrence of the past and to protect the liberty and independence gained through so many years of pain and struggle.[121] He opposed the Emperor at almost every turn, but his opposition proved to be of no avail. The disputed election of Trier, the occupation of the Matildine lands and other territory, the restoration of a number of the German clergy who had received their ordination at the hands of schismatics in the time of Alexander III, these were some of the questions in dispute between Urban and the Emperor.[122] In addition, Urban refused to crown the bridegroom Em-

120. F. Chalandon, *The Normans in Italy and Sicily,* Vol. II, p. 390.

121. Historians frequently emphasize the antipathy Urban, a Milanese, must have felt toward Barbarossa. "With a heart full of bitterness against the man who had once levelled his city to the ground and mutilated his relations, Urban was in no mood to drop the torch of quarrel which had been handed down to him by his predecessor Lucius III." H. Fisher, *The Medieval Empire,* Vol. II, p. 105. There is considerable substantiation for this. Cf. Sigebert, *Continuatio Aquicinctina, loc. cit.,* p. 423; *Gestorum Treverorum Continuatio,* III, 8, M.G.H., SS., Vol, XXIV, p. 385: "Fridericus ... cognatos et parentes domini Urbani papae inter caeteros captivos teneri, quorum quosdam proscriptione dampnavit, quosdam mutilatione membrorum deformari precepit. Ob huius itaque facti vindictam dicebant quidam, predictum apostolicum, antequam ad sedem apostolatus conscendisset, gravissimum rancorem servasse in corde suo contra imperatorem." How much this influenced him is difficult to estimate, although his letter upon accession certainly is free of all antagonism. "... et tanto libentius manum (divina pietas) porrigat ad profectum, quanto firmius cor et desiderium nostrum in imperatorie dignitatis est amore fundatum, pro quo scilicet dignitate nimirum parati sumus cum Dei adiutorio facere omne quod possumus, ut cum tui honoris et salutis augmento ecclesiam et imperium simul perpetua dilectione iungamus." Jaffe, *op. cit.,* no. 15,475, Vol. II, p. 493.

122. *Gestorum Treverorum Continuatio,* III, 8, *loc. cit.,* p. 385, accuses Lucius of violating the oath he had made with regard to the land of Matilda, and of breaking the agreement of the cardinals to postpone the election by confirming Volmar in the see of Trier. The author of the *Gesta,* however, is strongly imperialistic.

peror. Frederick ignored the refusal and proclaimed Henry "Caesar" and King of Italy, and caused him to be crowned by the patriarch of Aquileia without the consent of the Pontiff.[123] Meanwhile the Pope fostered by every means the rebellious uprisings in several of the Tuscan towns.[124] By way of retaliation, after the situation was again in control, Frederick commanded his son to overrun the Campagna, which he did with thoroughness and cruelty.[125]

The balance of power in Italy was now decisively inclined against the Pope. The Emperor had made peace with the Lombard League, was in open alliance with Milan, and had married his son to the heiress of Sicily. The Pope was an exile from Rome. The decrees of the Lateran Council in 1179 forbidding laymen to tax the churches without the consent of the bishop was openly defied. The finances of the Papacy were crippled by the imperial occupation of the papal patrimony. Nevertheless, Frederick's position was not yet secure. Clouds of discontent were massing themselves behind the Alpine barrier. Once again disorders at home, principally the growing discontent of the German clergy, called for his attention at home, and Frederick left Italy. In the presence of the bishops, at the Synod of Gelnhausen in 1187, the Emperor strongly asserted that he was innocent of the charges made by the Pontiff and vehemently protested against the invasion of his own rights. Again he bases his stand upon the old Gelasian principle — *"quia a Domino iubemur reddere, que sunt Dei Deo, et que sunt cesaris cesari."*[126] Frederick by his appeal completely won over the bishops assembled at the synod and at the suggestion of Conrad of Mainz a letter was sent to the Pontiff asking him to come to terms.[127] The Pope was thoroughly disappointed at the newly assumed attitude of the German episcopate, but, nevertheless, per-

123. *Annales Romani,* M.G.H., SS., Vol. V, p. 479; Ralph Diceto, ap. Bouquet, R.F. SS., Vol. XVII, p. 627.

124. Letter of Wichmann, Archbishop of Magdeburg, ap. Watterich, *op. cit.,* p. 676.

125. *Gestorum Treverorum Continuatio,* III, 8, *loc. cit.,* p. 385. The ravishing was the result of Urban's consecration of Volmar to the see of Trier. Cf. Arnold of Luebeck, *Chronica Slavorum, loc. cit.,* III, 17, p. 159.

126. *Ibid.,* III, 19, p. 161.

127. *Ibid.*

sisted in his stand. Death overtook Urban as he was planning to excommunicate the Emperor.[128]

Conciliation marks the policy of the next two Pontiffs, Gregory VIII, who ruled but one month and twenty-seven days,[129] and Clement III.[130] The overthrow of the Latin powers in the Orient once more served as a bond of union between Empire and Papacy, and Barbarossa eagerly seized the overtures for peace. Both Pontiffs were well-disposed towards the Emperor, although negotiations dragged on for some time. Frederick then decided to take up the Cross.[131] Before he departed he did all in his power to smooth the path for his son. Unity between Empire and Papacy was completely restored; the troublesome affair regarding the lands of Matilda was settled; a compromise concerning the appointment to the archbishopric of Trier was reached. In May, 1189, Frederick departed for the Holy Land reputedly with ninety thousand men.[132] His military maneuvers and strategy in the Orient reflected the same mistakes of his predecessors, but in his actual encounters with the Moslems he was uniformly successful.[133] It would be interesting to know what the fate of the Latins would have been had not death on June 30, 1190, by drowning in the river Saleph, claimed him, the greatest of the Hohenstaufens.[134]

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128. *Ibid.*
129. *Annales Magdeburgenses,* M.G.H., SS., Vol. XVI, p. 195, speaks of him in praise: "(Gregorius), legatione imperatoris optime suscepta, pacem, filius pacis et vere Israhelita, in quo dolus non erat, accepit et firmavit."
130. *Gestorum Treverorum Continuatio,* III, 12, *loc. cit.,* p. 389: "Emissis igitur duobus cardinalibus, Iordano videlicet et Petro, questiones, quae inter predecessores suos et imperatorem diu ventilatae erant, in formam diffinitivam redactas, per eos imperatori et regi transmisit. Imperator ... acceptavit formam compositionis illius."
131. *Chronicon Magni Presbiteri,* an. 1188, M.G.H., SS., Vol. XVII, p. 509.
132. *Gesta Frederici Imperatoris* in the *Annales Mediolanensis, loc. cit.,* pp. 379 ff., gives a short but interesting account of Frederick's oriental expedition.
133. C. Oman, *op. cit.,* Vol. I, p. 249.
134. Frederick "fell from his horse into the river, and was the only person drowned. Accordingly, they drew him on shore, and there disembowelled him; after which, his entrails, brains, and flesh, which had been boiled in water, and thus separated from the bones, were buried in the city of Antioch. His bones being wrapped in

clean linen, Conrad, duke of Suabia, his son, carried them with him to the city of Tyre, where he buried them." Roger de Hoveden, *Annales,* an. 1188, Vol. II, pp. 102, 103. The *Annales Mediolanenses* simply say that he drowned while bathing. The men then bore him to the city of Salaphim, "et paraverunt per tres dies et condiderunt aromatibus." *Loc cit.,* p. 381. Arnold of Luebeck, *Chronica Slavorum, loc. cit.,* p. 175, says that the Emperor wished to bathe in order to refresh himself — "propter nimiam estus intemperiem pulverisque squalorem." Agreeing with this are Johannes de Piscina, *De Transfretatione Friderici I,* M.G.H., SS., Vol. XXII, p. 340, and the *Epistola de Morte Friderici Imperatoris,* M.G.H., SS., Vol. XX, p. 496. The latter gives a vivid account of Barbarossa's activities in the Orient.

CHAPTER V

THE INVESTITURE PROBLEM

It remains to discuss another great source of conflict between Church and State, namely, the age-old investiture struggle. As has been mentioned earlier in this study, the position of the bishops and abbots in the Middle Ages was one of great importance not only from a spiritual, but also from a temporal viewpoint. Since the time of the Ottos the German Church had been the right arm of the Emperor's power and the most effective instrument of his policy. The bishops were finally and permanently englobed in the German feudal system. Frequently their possessions were vast, and for this reason the Emperor was much concerned to have men favorable to him occupy these positions.[1] Barbarossa, therefore, did not hesitate to seize the manors and lands of the bishops of Bremen and Halberstadt when these clerics refused to do military service for him in Italy.[2] The Emperors likewise sought to use the bishops as an effective check against ambitious secular nobles.[3] The stipulations of the Concordat of Worms were to cover the extension of the two powers, spiritual and temporal, as to the appointment of bishops and had been followed more or less accurately during the thirty years preceding Barbarossa's reign.[4]

But the question now arises: What was Frederick's position as to the appointment of bishops and the regulations of Worms? In a letter to the chapter at Cambray Frederick gives expression to the general conditions required of candidates to ecclesiastical positions.[5] He wishes to have men chosen who are pleasing to God and acceptable to himself, qualified for service in the Church and Empire, versed in both divine and human rights, honorable in morals which produce due obedience to the Empire, which render to God the things that are God's and to Caesar the things that

1. Below, G. von, *Der Deutsche Staat des Mittelalters,* Vol. I, pp. 232 ff.
2. Otto of Freising, *Gesta Friderici,* II, 12, *loc. cit.,* p. 396.
3. Thatcher and McNeal, *Europe in the Middle Age,* p. 207.
4. See chapter I, p. 10 for a summary of the Concordat of Worms.
5. Bouquet, R. F. SS., Vol. XVI, p. 695.

are Caesar's. Arnold von Luebeck puts the following words into the mouth of Frederick which give direct allusion to the Concordat of Worms and intimate, to some extent, that he considered that document an encroachment upon imperial rights.[6] "We have heard that our predecessors had the right, after the demise of a bishop, freely to invest with that dignity men acceptable to them. Since we find that they of their own choice alienated this right, we intend to readjust this situation. Never will we concede that the least part of our established rights suffer a change." Frederick evidently considered himself not bound by the concessions made in the Concordat of Worms by his predecessors, and this statement serves as a key to his action in investiture difficulties.[7]

Strangely enough very few allusions are made to the Concordat of Worms either by the Emperor or the Pontiff. Shortly after his election Frederick appealed to it as justification of his appointment of Wichmann to the archbishopric of Magdeburg. This may be used as an example illustrative of his method in the appointment of bishops. In this case it is very evident that he exceeded the limits intended by the original conscriptors of the Concordat, interpreting it in a sense most favorable to the imperial cause. The see of Magdeburg was vacant and there was dispute as to its successor. The majority favored the Prevost Gerard, the minority, a certain deacon by the name of Hazzo. Frederick settled the dispute by proposing his own candidate, Wichmann, and having him elected. The author of the *Gesta* then definitely states Frederick's appeal to the Concordat of Worms. *"Tradit enim curia et ab ecclesia eo tempore quo sub Heinrico quinto de investitura episcoporum decisa fuit inter regnum et sacerdotium controversia, sibi concessum autumpnat, quod obeuntibus episcopis, si forte in eligendo partes fiant, principis arbitrii esse, episcopum quem voluerit ex primatum suorum consilio ponere..."*[8] The evident intention of Callixtus' concession in the Concordat was to permit the Emperor to settle the dispute by selecting one of the candidates under consideration,

6. Arnold Luebeck, III, 18 — citatum ap. G. Wolfram, *Friedrich I und das Wormser Concordat,* p. 119.
7. Hergenroether-Kirsch, *Handbuch der Allgemeinen Kirchengeschichte,* Vol. II, p. 450. "Friedrich verfuegte gegen das Wormser Konkordat willkuerlich ueber Bistuemer....."
8. Otto of Freising, *Gesta Friderici,* II, 6, *loc. cit.,* pp. 392, 393.

not by introducing a third party of his own choice and favorable to him. Otto of Freising more or less arbitrarily and vaguely justifies Frederick with the phrase "*quem voluerit ex primatum suorum consilio ponere,*" leaving the impression that it is contained in the Concordat of Worms.[9] Frederick quite naturally wished that the more powerful sees be equipped with men not antagonistic to his cause, but sought this in a manner prejudicial to the Church's rights. Frederick himself in a letter to Otto of Freising asserts that his action in the case of Wichmann was contested — "*multae lites et controversiae inter nos et Romanam ecclesiam*" — but, nevertheless, "that which was laudably done by us the apostolic authority confirmed."[10] Eugenius protested that Frederick had exceeded his powers and that canon law did not recognize such an arbitrary installation to office. But death overtook him and his successor, the aged Anastasius IV, was obliged to yield to the strong will of the Emperor. Nor can it fairly be charged to the Church that it opposed German unity when it objected to such arbitrary procedure on the part of Frederick.[11] It merely insisted that its rights had been unduly encroached upon. That the Church at times did attempt curtailment of Frederick's power in Italy or his alliance with some nation, fearful lest this added power should work to its detriment, is true, but the statement that the Church sought the continuance of German disintegration lies open to serious challenge.[12]

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9. It is possible that the version of the Concordat known to Frederick and appealed to by Otto of Freising was defective, as E. Bernheim maintains. Cf. *Zur Geschichte des Wormser Konkordats.* As mentioned previously, this, Bernheim contends, was deliberate falsification which dates back to the time of Henry V and the disputed election to the Abbey of St. Gall (1123). Yet Frederick could not long have remained unaware of the correct version of the document in view of the disputes with the ecclesiastical authorities which followed.
10. *Gesta Friderici,* (letter preceding the *Gesta*), *loc. cit.,* p. 347.
11. G. Wolfram, *op. cit.,* p. 167, says: "Rome had done its utmost" ("Sein Moeglichstes dazu hat Rom gethan") to prevent German unity.
12. During the twenty years of schism Alexander III did foment sentiment against Barbarossa, not because he wished German disintegration, but because his own lawful position was threatened. The same reason holds for Urban III, who acted similarly because Frederick had unduly encroached upon his rights in Italy.

Adrian IV apparently made little reference to the Concordat or the question of investiture, either because he found it politically inexpedient to do so, or because the men chosen by Frederick were capable and of good repute. Besides, it seems, very few of the notable German bishoprics became vacant during his pontificate. In his letter to the Emperor, refusing to permit him to appoint Guido of Blandrada to the see of Ravenna, Adrian severely rebukes him for his violation of the Concordat of Worms.[13] With regard to Guido the Emperor carried out his own intentions while Adrian remained adamant in his disapproval. From his action in this instance and from the principles that lay at the basis of his attitude in matters of Church and State one may conclude that Adrian was in no way inclined to cede anything on the question of the appointment of bishops.

As could naturally be expected, during the twenty years of schism when the antipopes were but tools in his hands, Barbarossa threw all pretense to the wind and appointed bishops at will. He determined to keep the episcopate under his control for he well knew that without its support he could not maintain even a semblance of battle with Alexander III. At Cologne he succeeded in establishing Philip of Heinsberg as the successor of the fiery Reinald von Dassel. In the place of Hillim, Archbishop of Trier, followed Arnold, the exact antithesis of his steadily weakening predecessor. Hartwig, in the see of Hamburg-Bremen, did not hesitate to receive the pallium from the antipope, Callixtus. In Metz, 1171, Bishop Frederick soon followed Dietrich who betrayed leanings toward Alexander. As the episcopate, so too should the lower clergy be subject to the Emperor's antipope; he who refused was placed under the bann of the Empire. The cautious Albert of Freising, who had for a long time procrastinated, was now forced to permit himself to be consecrated by Christian of Mainz. Conrad of Regensburg, faced with the alternatives of refusal or ordination, chose the latter. The same fate was in store for priests. Hartwig of Augsburg, after the command of the Emperor, compelled the clerics of his diocese to receive ordination from his hand.[14]

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13. Ragewin, *Gesta Friderici,* IV, 19, *loc. cit.*, p. 456.

14. For a complete and detailed study of Frederick's action in the ap-

In the see of Cologne, always ranking among the first of Germany, it was important for Frederick to have someone sympathetic to his cause in occupancy. Finding Conrad, Archbishop of Mainz, too strongly reluctant to accept his second antipope and too active in persuading others to oppose him, Frederick quickly replaced him with the energetic Christian de Buch, more soldier than cleric. Then, in order to show that the decrees of the Diet of Wuerzburg were not to remain a dead letter, Christian ravaged the diocese of Salzburg with fire and sword because its Archbishop, also named Conrad, would have nothing to do with the antipope.[15] Christian proved to be one of Frederick's most energetic and effective generals, but after the Pact of Anagni he stood squarely behind its terms of peace and even opposed Frederick in favor of Alexander. Strangely enough one of the clauses in the treaty provided that the militant Christian was to retain his see at Mainz, whereas, the first suitable vacant German see was to be granted to Conrad who had lost Mainz owing to his allegiance to the Pontiff.[16]

After the death of Conrad of Salzburg, mentioned above, a very young man, Adalbert, son of King Ladislaus and nephew of Frederick, was chosen as archbishop.[17] It was hoped that the Emperor would permit the election of his relative although he was an adherent of the Alexandrine party. Alexander confirmed the election and sent the pallium.[18] Barbarossa, however, forbade any recognition of him. Renouncing the worldly possessions connected with the archbishopric, Adalbert sought in this manner to protect his position. But it was in vain, for Frederick not only took over the entire government of the archbishopric, but also demanded a new election. Alexander easily saw that opposition to Frederick at this time on the score of investiture would have been futile. Besides, he was far too occupied in maintaining his position as head of the

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pointment to the various bishoprics, see G. Wolfram's, *Friedrich I und das Wormser Concordat.*

15. *Annales Reicherspergenses,* M.G.H., SS., Vol. XVII, p. 473.
16. No. 10, ap. Watterich, *op. cit.,* p. 599.
17. *Chronicon Magni Presbyteri,* an. 1168, *loc. cit.,* p. 489.
18. *Ibid.,* p. 490.

Church to remonstrate with Frederick concerning his violations of the Concordat of Worms.

As mentioned in the foregoing chapter, it was the disputed election to the archbishopric of Trier in 1183 that nearly blasted the long-desired Peace of Venice. A certain Volmar was elected by the majority of the electors, but the minority objected, alleging that the election was void because Volmar's party had anticipated the time at which the election was to take place. They, in turn, maintained that their candidate, Rudolph, was properly elected because elected at the proper time.[19] Automatically the Emperor was to determine the issue because of the provisional clause of the Concordat of Worms: *"ut si qua inter partes discordia emerserit, metropolitani et comprovincialium consilio vel judicio, saniori parti assensum et auxilium prebeas."*[20] It is difficult to ascertain whether or not Frederick made the episcopal examination; in any case he granted Rudolph the investiture of the temporolities and asked the Pope to consecrate him. The affair was hotly debated and Lucius III, convinced of the validity of Volmar's election, refused to comply with the Emperor's request. Both Pope and Emperor felt that their rights were deeply involved and both staunchly refused to yield. Hearing that Lucius contemplated raising Volmar to the episcopate, Barbarossa issued his ultimatum: *"Quod, si Volcmarum contra suam voluntatem ad summum sacerdotium promovere voluerit, omnem familiaritatem inter eos perpetuo exspirasse certissime sciat."*[21] For seven years this was a source of considerable discomfort. Barbarossa soon resorted to violence and his son Henry, violating the rights of the city of Trier, plundered the houses of Volmar's adherents.[22] Urban III, already at odds with the Hohenstaufen, declared the election of Rudolph null and void and further incurred Barbarossa's wrath by consecrating Volmar with his own hand. *"Ex illa die manifestissime inimicitie inter ipsum et domnum apo-*

19. *Gestorum Treverorum Continuatio,* an. 1183, *loc. cit.,* pp. 383, 384. Arnold of Luebeck, a more disinterested authority than the author of the *Gesta Treverorum,* simply states: "Volcmarus ... ad sedem apostolicam appelavit, Rodolphus vero ad imperatorem se transtulit." *Chronica Slavorum,* III, 11, *loc. cit.,* p. 155.
20. M.G.H., Leges, Vol. II, p. 75.
21. Arnold of Luebeck, *Chronica Slavorum, loc. cit.,* III, 11, p. 156.
22. *Ibid.,* III, 17, p. 159.

stolicum exorte sunt."[23] But Gregory VIII, who sought peace at any cost because he required the assistance of the Emperor in his proposed crusade to the Holy Land, forbade Volmar to take any action to retain his see. During the pontificate of Clement III the dispute was finally closed when he deposed both claimants and John, chancellor of the Empire, was universally accepted to fill the see.[24] From the evidence available it is difficult to incriminate Frederick. Naturally he felt that the decision of the Pontiff was an usurpation of his own right in disputed elections, conceded to him by the Concordat of Worms. Even this document, he considered, was a definite encroachment upon rightly acquired imperial rights. Granting the truth of the statements regarding the election as given by the author of the *Gesta Treverorum,* the whole question seems to hinge on whether or not the time element was an invalidating condition of election, and whether, in consequence, Frederick had any right to judge the election of Volmar at all doubtful. Evidently Lucius saw no doubt in the matter.

As a matter of fact, from a strictly juridical standpoint it would be difficult to prove that Frederick gravely sinned against the Concordat, except during the time of schism. The document itself was defective, and while its general sense and purpose were quite clear, its wording opened large loopholes for escape. The Emperor was conceded an influence in the appointment of bishops. The Concordat itself guaranteed the *praesentia regis* and later Pope Alexander III added that the candidate for office was to be chosen *cum favore principis.*[25] Hence, the Emperor's position was by no means definitely determined. "When in various instances election took place in his presence, it was his custom to recommend to the electors the candidate favorable to him or even directly appoint him to the bishopric... Apart from Salzburg, the electors never offered opposition; the usual thing was that they were in agreement with him. If there was question of a split between two candidates then the election lost all semblance of freedom, for Frederick strongly adhered to the German version of the Concordat which, in such in-

23. *Ibid.,* III, 17, p. 158.
24. Ep. 123 of Clement III, ap. Migne, *P.L.,* Vol. 204, p. 1442.
25. Letter of Alexander III to the Bremens on the occasion of the election of 1168.

stances, granted the Emperor the right of free appointment.[26] It appeared as a special favor when he did not directly appoint, but proclaimed a new election. Contemporaries frequently employ expressions which betray direct appointment by the Emperor.[27] As a matter of fact Frederick made his will authoritative. As formerly the chancery was the nursery of the episcopate, so now Frederick, in imitation of Otto I, sought through the appointment of bishoprics to bind the Church to the Crown. To this end he did not hesitate to transfer spiritual positions even to his relatives."[28] Frederick employed the high clergy of the German Kingdom as commanders of his armies, as diplomats, as governors. "Rainald of Dassel, Archbishop of Cologne, was a trusted military leader; Christian of Mainz was practically his viceroy in Italy. And what shall be said of Wibald of Stavelot, Philip of Cologne, Arnold of Mainz, Wichman of Magdeburg, Eberhard of Bamberg, Hartmann of Brixen, Otto of Freising? There is not a single bishop of Germany during the reign of Frederick Barbarossa who can be mentioned for his spiritual desert; there is hardly one who was not a politician or a warrior."[29]

Bent on maintaining imperial prerogatives, Barbarossa's policy in investing bishops took the following form: While he sought to bring the appointment of bishops once more under his control, he wished that the canons of the Concordat which had become traditional retain their apparent authority.[30] He employed the Concordat in such wise as would promote his own loftily conceived station and ideals. The freedom of choice was to remain, so long at least as the candidates chosen were unconditionally submissive to him. In Italy and Burgundy where the Concordat had removed

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26. Otto of Freising, *Gesta Friderici,* II, 6, *loc. cit.,* pp. 392, 393.

27. Such expressions were: *substituit, ab imperatore est prefectus episcopus, subrogavit,* etc.

28. Taken from A. Hauck, *Kirchengeschichte Deutschlands,* Vol. IV, pp. 290, 291. — Relatives appointed by Frederick: Dietrich IV of Metz, Hermann II of Bamberg, Ussermann of Bamberg, Otto of Brixen, Diepold, Otto II of Freising, etc.

29. J. W. Thompson, *Feudal Germany,* p. 163.

30. G. Wolfram, *op. cit.,* p. 120. "Da sucht er seine Handlungsweise juristisch zu decken, waehrend er factisch die Bestimmungen des Concordats umgangen hat."

almost all imperial influence he sought to establish the former procedure anew, but investiture as a prerogative of the Church he no longer recognized, at least not in Germany.[31] Peters in his scholarly brochure concludes: "*Wenn ich den Grundgedanken, der Friedrich in der inneren Kirchenpolitik leitet, auf eine kurze Formel bringen soll, so wird diese lauten: Erhaltung des kaiserlichen Einflusses auf die deutsche Kirche durch unbedingte Wahrung des imperialen Investiturrechtes.*"[32]

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31. *Ibid.*, p. 126.

32. U. Peters, *Characteristik der inneren Kirchenpolitik Friedrich Barbarossas*, pp. 84, 85.

CHAPTEER VI

CRITICAL SUMMATION AND CONCLUSION

Almost three and one half centuries had elapsed since the era of Charlemagne before Europe witnessed a figure in the person of Frederick Barbarossa who might fittingly be compared to him. Frederick was excellently equipped for the role of Emperor. His intellectual and physical endowments were beautifully molded into a personality which men found irresistible in its appeal.[1] He possessed all the attributes of power, bold yet cautious, courageous and enduring, energetic and methodical; he towered proudly above all who surrounded him and had the highest conception of his princely calling. As a leader of men he was unsurpassed and this quality he maintained even unto his untimely death. Even in the bleak and barren Iconium recesses, far from home with the odds of battle against them, Frederick could rally his men to heroic achievements. And the complete disintegration of his army which followed his death speaks eloquently of his power as a leader. Nor was his power of leadership only felt by the soldiery. His subjects at home loved and admired him. He was handsome, kind, generous, and just, supremely confident of his own ability, the embodiment of everything kingly and noble. Besides, he was fortunate in birth, combining in his person the blood of both Welf and Hohenstaufen, two political factions that had rent German national life for centuries. To this accident of birth he contributed great ability as a statesman, with an uncanny faculty of knowing when to be stern and severe, when to placate and compromise. "So commanding was the energy, so powerful the earnestness and so inexhaustible the resources of his nature, that he was as terrible to his foes on the last day as on the first, passionless and pitiless, never distorted by cruelty, and never melted by pity, an iron defender of his imperial rights."[2] In short, Frederick gave every promise of being a very successful ruler and of greatly enhancing the prestige of the Empire.

1. Ragewin, *Gesta Friderici*, IV, 76, *loc. cit.*, p. 490.
2. H. von Sybel, *The History and Literature of the Crusades*, p. 80.

Yet Frederick failed. He failed because he was unable to fit into the scheme of things; he failed to judge the times. Barbarossa was an idealist. He had set before himself the task of restoring the waning glories of the Empire and into this task Frederick threw himself with all the passionate ardor of his character. For him and even for his contemporaries it was a self-evident fact that he, as German Emperor, was the successor of the Roman caesars.[3] But he failed to realize that the Empires of Augustus, of Constantine, of Justinian, and of Charlemagne were a chimera impossible of attainment in this age. For thirty-eight years he never faltered in his task. To him Germany and Italy were but two sections of that Holy Roman Empire whose rights and dignities he strove with all his might to uphold. To him every right that had been exercised by Justinian or Constantine, by Charlemagne or Otto the Great, was literally his right as the lawful successor of these mighty sovereigns. We must admire his persistance in persuing his ideals, fantastic though they were.[4] Even after the decisive blow of Legnano and the subsequent complete humiliation, he remained undaunted. He emerged from that defeat still the dominant personage in Christendom and immediately sought to re-establish himself in his former position by dividing the three allied powers that had brought about his defeat. One of Frederick's highest qualities as a statesman was his ability to perceive a changed situation and to turn defeat to his own best advantage. Even at the age of sixty-six he inaugurated the fateful third crusade with the same supreme

3. F. Boehm, *Das Bild Friedrich Barbarossas und seines Kaisertums,* p. 69: "Dass Friedrich, als deutscher Kaiser, Nachfolger der roemischen Caesaren war, ist fuer ihn wie seine Zeitgenossen, Byzanz natuerlich ausgenommen, etwas Selbstverstaendliches."

4. U. Peters, *Charakteristik der inneren Kirchenpolitik Friedrich Barbarossas,* p. 86, has only fine praise for Frederick's idealism: "Jene glueckliche Mischung von Idealismus und Realismus, die den wahrhaft grossen Staatsmann macht, die ihn erhebt ueber die phantastischen Utopien eines Otto III. wie ueber den kleinlichen Wirklichkeitssinn eines Karl IV., sie bestimmt Barbarossas Politik, ein idealistischer Grundzug, der Glaube an des Kaisers Majestaet, des Reiches Groesse und des deutschen Volkes ewige Jugendkraft, und ein wunderbar scharfer Blick fuer die Realitaeten auf dem Schachbrett der inneren Politik wie fuer die Imponderabilien in der fein klingenden Volksseele verbinden sich ihm zu wirksamer Einheit."

assurance of his prerogative as defender of the Church of God.[5] "Over remote Eastern-lands, where Frankish foot had never trod, Frederick Barbarossa asserted the indistructible rights of Rome, mistress of the world."[6]

Yet, while his ideals were fantastic in the extreme, Barbarossa sought to realize them with a shrewd practical wisdom and a businesslike command of details. He quickly saw how first of all he must establish concord in Germany and his efforts in this regard were eminently successful. With a stern hand he quieted unruly barons and made it his constant objective to keep the German episcopate faithfully imperialistic.[7] As a result, although never formally, he paid little regard to the stipulations of Worms in

5. Roger de Hoveden quotes from a supposed letter of Frederick's to Saladin warning him of the impending crusade against him. "For we can scarcely believe that you are ignorant of what, being testified by the writings of the ancients and the histories of antiquity, we are to presume is to be the course of events in our time. Do you pretend not to know that both the Aethiopias, Mauritania, Persia, Syria, Parthia, where our dictator Marcus Crassus met with premature death, Judaea, maritime Samaria, Arabia, Chaldaea, Egypt itself as well, ... so you pretend not to know that all these and Armenia and innumerable other lands became subject to our sway? Too well is this known to the kings in whose blood the Roman sword has been so often drenched; you too, God willing, shall learn by experience what our conquering eagles, what the troops of the various nations can effect." *Annales,* an. 1188, (H. T. Riley translation), Vol. II, p. 102. E. A. Freeman, *Historical Essays,* Vol. I, p. 267, ridicules the threat to avenge the blood of his Roman predecessors, but to no purpose since the authenticity of the letter is seriously questioned. It is probably an absurd exaggeration attributed to the Staufer by his enemies in Europe. It is found only in outside sources, Roger de Hoveden, Matthew Paris, Ralph Diceto, and in the *Itinerarium Ricardi Regis;* and the fact that no mention of the letter is made by any German or Italian writers certainly excites suspicion. Freeman, *loc. cit.,* likewise ridicules Barbarossa's use of *Romanorum Imperator semper Augustus,* but this terminology is not original with the Hohenstaufen, but had been used constantly by his immediate predecessors.

6. J .Bryce, *The Holy Roman Empire,* p. 184.

7. U. Peters, *op. cit.,* p. 87. "Der Streit Barbarossa mit der Kurie und seine Geschichte von Besancon ueber Wuerzburg nach Venedig ist ja eine glaenzende Illustration der These: Der deutsche Episkopat **gut kaiserlich allewege!**"

practice. He likewise perceived how essential to the success of his plans an alliance with the Papacy would be, for the Papacy exercised complete spiritual control over all the territories he sought to rule. Nor was he slow in seeing the incalculable advantage of establishing his claims on the solid foundations of law. His throne was surrounded by the great jurists of Bologna who not only taught that the Emperor was the lord of the world and that "the will of the prince had the force of law," but illustrated to the most minute detail the individual prerogatives of his office.[8] The revival of the study of Roman law inflated the imperial pretensions of the Hohenstaufen, and lent tradition and historical actuality to the former vague idea of world power embodied in the claim to the *dominium mundi.* With Frederick the antiquity of the Holy Roman Empire was pushed back to the very foundation of Rome itself. He is the *divus Augustus* and his authority dates back to Romulus; he ascended the throne eighteen hundred years *ab urbe condita.*[9] Nevertheless, while very practical in the coordination of his means, Barbarossa showed a woeful lack of judgment in setting as the end and aim of his life a goal impossible of attainment. His ideals and aims lived in an age past, and to the end he remained blissfully ignorant of the fact that he was not in accord with the trends of the time. Frederick Barbarossa was a throw-back into a past age, a retroactive in policy which was then doomed to failure.[10]

With the dualistic conception of government prevailing and fast gaining ground, the monistic ideals of Frederick were completely out of harmony. His statement at the opening of the Council of Pavia ran directly counter to the Gelasian principle which prevailed. "In my office as Emperor I can convoke councils, especially in moments of great perils for the Church, as did Constantine, Theodosius, Justinian, and in later times the Emperors Charlemagne and Otto."[11] For him the papal power was no longer on an

8. Ragewin, *Gesta Friderici,* IV, 1 - 8, *loc. cit.,* pp. 444 ff.
9. Otto of Freising, *Gesta Friderici,* II, 1, *loc. cit.,* p. 391; Ragewin, *Gesta Friderici,* III, 6, 12, 20; IV, 76, etc.
10. Most historians would disagree with H. von Sybel that Frederick was in advance of his times. "He appeared, foreshadowing modern thoughts deep in the middle ages, like a fresh mountain breeze dispersing the incense-laden atmosphere of the time." *Op. cit.,* p. 80.
11. Ragewin, *Gesta Friderici,* IV, 64, *loc. cit.,* p. 479.

equal footing with the imperial. For him the papacy was but an imperial bishopric and he seriously resented the interference of other European monarchs in matters of papal concern.[12] But Barbarossa was caught in the whirl of the advancing papal power and prestige. Ever since the drastic reforms of Gregory VII, the conception of an independent papal power was in the ascendent. Hildebrand had exercised such a momentous influence upon his own age and that of the immediately succeeding decades that it was impossible to stem its progress. Barbarossa stands as an erratic block, able to hold the momentum of papal power and prestige for a time, but unable to divert or check it from its culmination in the reign of Innocent III.

Frederick rather underestimated the ability of his opponents. In the persons of Adrian IV and Alexander III he met with men of his own steel who were similar to the age in which they lived and were not slow to align themselves with the movement begun by Gregory. Against the absolutistic ambitions of this monarch they pitted their ambition — not to yield one iota of papal prerogative, to safeguard the Church against any further subservience to the State. And the achievement of this objective was best to be attained by them by an inflexible adherence to the policies outlined by Hildebrand and his successors.[13] At the same time, however, it was entirely foreign to their minds that their best interests could be served by an open rupture with the head of any State, yet, rather than sacrifice the principles and prerogatives of the Church, rupture and conflict would be endured. Their aim was not a haughty desire to humiliate the powerful Barbarossa, to destroy respect for his office, or to weaken or diminish his power, but to establish harmonious relationship between the two powers, civil and ecclesiastical, provided, of course, that this relationship be not prejudicial to the rights of the Papacy.

Adrian died at the very crisis of his conflict with Frederick and left the issue without decisive victory on either side. Fred-

12. *Saxo Grammaticus,* ap. Watterich, *op. cit.,* Vol. II, p. 533.

13. "His (Adrian's) object was to maintain the claims of the Roman Church as they had been defined by Gregory VII. In this he showed skill, resoluteness, and decision; but he had for his antagonist the mightiest of the emperors." Creighton, art. "Adrian IV," in the *Dictionary of National Biography,* Vol. I, p. 147.

erick had sought to consolidate the imperial authority while Adrian, on the contrary, wished to consolidate the ecclesiastical authority.[14] In the ensuing clash Frederick succeeded in gaining nothing from the Church which might add to the imperial prestige. Territorially the papal possessions practically remained untouched by Barbarossa's hands, and although he did exceed the stipulations of the Concordat of Worms regarding lay-investiture, yet he did so not without protest and opposition from Adrian. From all appearances the conflict between Adrian and Barbarossa ended on even terms, but in reality it was a moral victory for the Papacy in which was contained the germ of Frederick's subsequent defeat. It required only time for the forces opposed to the Hohenstaufen to consolidate sufficiently to bring about his downfall, namely, the union of the Lombard cities and opposition from within Germany itself.

The fact that Adrian was unable to carry out the excommunication which he threatened was decidedly to the advantage of the Papacy. Had Adrian actually inflicted the bann, it would not have been difficult for the Staufer to present the struggle as a quarrel concerning a question of State, in part, at least, very doubtful and of a very earthly nature. Thus he could win the support not only of Germany, but also of some of the other nations not preferring a position of neutrality. The procedure which Frederick did follow after Adrian's death by setting up his own antipope placed Alexander in the best position possible, namely, in the position of defender of spiritual freedom against unbridled autocracy. In that day and age it was obvious that the other countries would embrace the party opposed to the Emperor.[15]

Alexander, upon his election, immediately took up where Adrian had left off, determined that Frederick's arbitrary handling of ecclesiastical affairs should not go on without the bitterest opposition. "The keen and long doubtful strife of twenty years that followed, while apparently a dispute between rival Popes, was in substance

14. P. Villari, *Mediaeval Italy, From Charlemagne to Henry VII,* p. 221. P. Schaff, *History of the Christian Church,* Vol. V, p. 103: "The Hohenstaufen or Swabian emperors maintained the principle of imperialism, that is, the dignity and the independence of the monarchy, as a divine institution, against papal sacerdotalism, on the one hand, and against popular liberty on the other."

15. H. Kerner, *Papst Alexander III,* p. 15.

an effort by the secular monarch to recover his command of the priesthood."[16] Nor was there any rest in this struggle until Frederick's final surrender at Legnano, seventeen years later. To Alexander's credit it must be said that he did not take advantage of Frederick after he had succeeded in humbling him. If he sinned in any way, it was on the side of leniency. Similar to the case of Hildebrand and Henry IV, he was too eager to regain the Hohenstaufen's friendship and too willing to trust him. Both Adrian and Alexander were men of supreme courage, of unbending resolution, of fine intellect and fired with the ambition not to yield one iota of the papal prerogatives and prestige entrusted to their care. Like all great men they possessed shortcomings. Adrian was perhaps too inflexible in his stand, insisting on such a minute point of form as the stirrup service. The letters of Alexander show an overemphasis of petty details. Nevertheless, "they were striking figures, like the great Gothic cathredals which they saw arising in their midst. And they are as worthy of our admiration as are those glorious edifices, which whatever faults of detail a minute criticism may find in them, will ever attract the admiring attention of men who have any taste for the majestic and the beautiful. Like the mass of enlightened men in their generation, no matter how much through human frailty, they fell short of their ideals in practice, they were great because their ideals were great."[17]

Another reason for Frederick's failure was his attempt to dominate Italy. Had Frederick confined his efforts to Germany, his great ability at statesmanship would have gained him the title of Germany's greatest Emperor. But possessed by the idea of world domination, the restoration of Rome and all its grand memories, Frederick never was able to appreciate the concrete situation. While Barbarossa was a potent factor in the unification of the many dissenting factions of Germany, in Italy his policy never touched reality.[18] At home he displayed a keen understanding of men and a wise moderation of conduct, yet when dealing with the powers beyond the Alps, he seemed to lose all sense of judgment. Once

16. J. Bryce, *op. cit.*, p. 165.
17. H. Mann, *The Lives of the Popes in the Middle Ages,* Vol. IX, p. lxx.
18. W. Ault, *Europe in the Middle Ages,* p. 360.

on Italian soil, all the grand dreams of its past greatness stirred him with untold zeal. But the Roman Empire was dead and the Papacy, the Lombard communes were gloriously alive and rooted in the soil. When Frederick Barbarossa came to the imperial throne a complete change had taken place in the political conditions of northern Italy.[19] The Lombard communes were the product of a slow, double revolution. "In a socio-economic sense these townsmen had risen out of serfdom and become freemen, burghers, through increase of wealth accumulated by industry and commerce. In a political sense the Lombard cities had emerged out of the debris of the ancient count administration, assumed the prerogatives and functions of those vanished officials of the Carolingian time, and established and practiced self-government. The key to this change is found in the office of the consuls in each city. This elective office was the keystone of their municipal structure; it was the palladium of their liberties."[20]

The communes energetically asserted the right of self-government, but Frederick refused to countenance it and he resorted to stern measures in his attempt to break down the resistance of the Lombard cities. To many historians, in consequence, Barbarossa is the embodiment of tyranny, opposed to freedom and individual liberty.[21] But such a view of the Lombard situation is unjust to the great man and his cause. From the viewpoint of law Frederick was theoretically right if one goes back far enough. He stood upon the letter of the law and was simply the advocate of admitted claims. No one could question that he had a right to the *regalia,* the tolls and the taxes. He could substantiate his claims by law. But the cities had tasted a new freedom, a new tradition. They based their claim upon custom, alleging, what was quite true, that they had enjoyed the right to elect local magistrates since the time of Henry III and Henry IV. "*Nolumus hunc regnare super nos, nec Teutonici amplius dominabuntur nostri, . . . maluimus honestam mortem,*"[22] they declare rebelliously. Frederick was totally incapable

19. Otto of Freising, *Gesta Friderici,* II, 13 - 15, *loc. cit.,* pp. 396 ff.
20. J. W. Thompson, *Feudal Germany,* p. 283.
21. The historian, Sismondi, is largely responsible for this estimate of Barbarossa.
22. M.G.H., Leges, Vol. II, p. 99.

of understanding the Lombard's position. There was no room in Barbarossa's political or social philosophy for these city republics of burghers, who claimed the right to be recognized as corporate feudatories of the Empire. His was the right to determine their mode of rule. To a man with such lofty ideas of highly centralized government, the refusal, where no actual oppression was alleged, to admit his officers and allow his regalian rights, seemed a wanton breach of their oath of allegiance, treason against God and himself.[23] But Frederick failed to see that the enforcement of imposts less offensive in former days were now obsolete. The Lombards were no longer able to share in Frederick's dreams of pristine imperial grandeur, but felt his action to be an undue encroachment upon their independence. And when the Papacy cast its lot with the Lombards and obliterated the last trace of their own inter-municipal strifes, Frederick's doom was sealed. Republican principles assumed the ascendency over imperial, and his path was everywhere strewn with disaster in the land beyond the Alps.[24] Once in the midst of his Italian feud, so the story goes, when the deeds of Alexander the Great were read aloud to him, Barbarossa exclaimed: "Happy Alexander, who didst never see Italy! Happy I, had I ever been in Asia."[25]

It is easy to charge the Hohenstaufen with abandoning the substance for the shadow, in being zealous to preserve a chimerical power, in being tenacious of an illusory title, the effect of which was to waste untold effort and blood in fruitless war with the Popes and the Lombards. But such an adverse criticism fails to understand the weight of tradition and the influence of great historical facts. Motivating such aspirations were a profound political philosophy and deep psychology. The Holy Roman Empire was a universal institution, at least in theory. It was a superstate in which all the states of Christendom were comprehended. It repre-

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23. J. Bryce, *op. cit.*, p. 170.

24. "The principle of states rights had triumphed in them. The Lombard cities won in Italy the principle for which Henry the Lion vainly struggled in Germany, and as the victory of the former spelled progress for Italy, so the defeat of Henry spelled reaction and retard for Germany." J. W. Thompson, *op. cit.*, p. 284.

25. Taken from H. Von Sybel, *op. cit.*, p. 80.

sented in the temporal order what universal Christianity represented in the spiritual order. Thus only can the ascriptions to its supremacy by the other monarchs of Europe be understood. Although these ascriptions had no practical bearing, they are, nevertheless, voluntary recognitions of the Empire's superiority.[26] "The medieval empire was a great political constellation in which the Germano-Italian state was the central sun and the other states as stars around it. Thus interpreted, the Holy Roman Empire was a utopian conception which had the virtues and the weaknesses every utopia necessarily has."[27]

Frederick was not satisfied with far-reaching temporal control, but sought to gain the upper hand in the realm of spiritual authority as well. He endeavored "to out-Caesar Caesar, and to establish an empire of a politico-ecclesiastical nature piered upon Germany and Italy as its foundation, but bending like a mighty arch over the whole of Christendom."[28] To his mind it was a prerequisite to the attainment of his other ambitions that the Church be a docile and submissive tool in his hands. But the Church had grown accustomed to its re-established ancient freedom and steadfastly refused to yield to the Hohenstaufen. Only in Germany did he continue to control ecclesiastical affairs, but even here he did so not without severe protests and oftentimes intense dissatisfaction. Frederick did not accomplish his purpose of re-establishing that position of rule which Charlemagne and Otto I enjoyed and which he viewed so enviously. It is sufficient to compare the few and unimportant ecclesiastical edicts of Frederick with the all-embracing and progressive ecclesiastical laws of Charlemagne.[29] The Carolingian ruled the Church in such wise that he

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26. Henry II of England in 1157 writes to Frederick: "Regnum nostrum et quidquid ubique nostrae subicitur ditioni, vobis exponimus, et vestrae committimus potestati, ut ad vestrum nutum omnia disponantur, et in omnibus vestri fiat voluntas imperii. Sit igitur inter nos et populos nostros dilectionis et pacis unitas indivisa, commercia tuta, ita tamen ut vobis, qui dignitate praeeminetis, imperandi cedat auctoritas, nobis non deerit voluntas obsequendi." Ragewin, *Gesta Friderici,* III, 7, *loc. cit.,* p. 419.
27. J. W. Thompson, *op. cit.,* p. 379.
28. *Ibid.,* p. xx.
29. A. Hauck, *Kirchengeschichte Deutschlands,* Vol. IV, p. 314.

aroused the inherent powers which it possessed and offered them larger room for expansion, while Frederick ruled only in so far as was necessary to place the power of the Church at the service of his political ends. The reason for this was that they were men of completely different personalities and with completely divergent ideals and objectives. Charlemagne's greatness rests upon the universality of his talents and ideals; Frederick's significance upon the narrowness of his objectives and the limitation of his talents. Because of this the former was able to embrace with an open mind and advance the great spiritual mission of the Church, while the latter, his eyes fixed upon one ideal, could think no further than to use the hierarchy and the Church as props of imperial power. All this, however, was accidental. The fundamental reason for Barbarossa's failure was the fact that the times were different. The world of the twelfth century was no longer ripe for a Charlemagne and hence, the attempt to thrust a Charlemagne upon it resulted only in friction. The Church had passed through a long and arduous struggle and as a result of this strife the consciousness remained that the ecclesiastical life was something independent. Wittingly or unwittingly, Frederick was influenced by this universal consciousness of ecclesiastical independence, and, in consequence, he avoided to encroach further upon spiritual affairs than was necessary to promote imperial interests. The times simply presented no opening for the influence and leadership which the Emperor had formerly exercised. Hence, Barbarossa's efforts to work counter to the trends of the day could only bring grief, and it was a foregone conclusion that opposition to him by the universal spiritual power could but result in its own profit and advancement.[30]

Barbarossa's greatest misfortune was that he was a reactionary and consequently his efforts suffered from the curse of all reactionaries: they were fruitless for the future. The personal greatness of Frederick lies in the fact that he was able to some slight extent to restore a situation to which everything was opposed. Long and bitterly had the Church struggled for the restoration of its pristine liberty, and tenaciously it was now determined to adhere to its newly-found freedom. Consequently, despite his years of strenuous

30. *Ibid.*

and untiring effort, Barbarossa gained nothing in his attempt to derogate from the liberty of the Church. In Italy his path was strewn with disasters, and even in Germany he obtained no very brilliant success. But, nevertheless, if he failed, his was one of the most magnificent failures of history! "With all his faults, Frederick remains the noblest embodiment of mediaeval kingship, the most imposing, the most heroic, and the most brilliant of the long line of German princes, who strove to realize the impracticable but glorious political ideal of the Middle Ages."[31]

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31. T. F. Tout, *Empire and Papacy*, p. 247.

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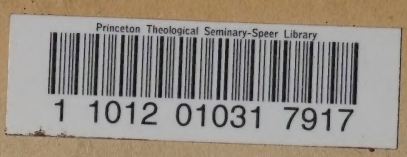
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